

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

FOR THE WESTERN DIVISION

VIVIAN BERT, et al., : CASE NO. 1:02CV00467

Plaintiffs, : Judge Beckwith

v. :

AK STEEL CORPORATION, :

Defendant. :

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Deposition of KAY JACKSON, taken on  
Tuesday, August 14, 2007, commencing at 9:03 a.m.,  
at the offices of Taft, Stettinius & Hollister LLP,  
425 Walnut Street, Suite 1800, Cincinnati, Ohio,  
before Susan M. Barhorst, Notary Public.

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## 1 APPEARANCES:

2 On behalf of Plaintiffs:

3 Susan Donahue, Esq.  
4 Wiggins, Childs, Quinn & Pantazis, PC  
5 The Kress Building  
6 301 19th Street North  
7 Birmingham, Alabama 35203

8 On behalf of Defendant AK Steel Corporation:

9 Patricia A. Pryor, Esq.  
10 Taft, Stettinius & Hollister LLP  
11 425 Walnut Street, Suite 1800  
12 Cincinnati, Ohio 45202-3957

## 13 Examination

14 by Ms. Pryor 3, 113  
15 by Ms. Donahue 113

16 \* \* \*

## 17 JACKSON DEPOSITION EXHIBITS MARKED/IDENTIFIED

18 1	36
19 2	53
20 3	71
21 4	81
22 5	87
23 6	89

1 KAY JACKSON

2 being first duly sworn, testified as follows:

3 CROSS-EXAMINATION

4 BY MS. PRYOR:

5 Q. Ms. Jackson, my name's Patty Pryor and  
6 I represent AK Steel in a lawsuit you filed against  
7 them.

8 A. Mm-hmm.

9 Q. We're here today to take your  
10 deposition. Have you ever had your deposition  
11 taken before?

12 A. No.

13 Q. Have you ever testified under oath in  
14 any proceeding before?

15 A. No.

16 Q. Let me give you a few ground rules.

17 A. Okay.

18 Q. If you don't hear a question, please  
19 ask me to repeat it. If you don't understand what  
20 I'm asking, please ask me to rephrase or -- you  
21 know, tell me that you don't understand, so we can  
22 get a good question before you. Sometimes I don't  
23 ask --

24 A. -- oh --

1 Q. -- a good question.

2 A. Okay.

3 Q. If you need to take a break at any  
4 time, we can do that. If you need something to  
5 drink, please let me know.

6 You need to answer out loud. No  
7 nodding or shaking of your head because it's hard  
8 for the court reporter to take it down.

9 A. Okay.

10 Q. And we'll try to remind you if you  
11 don't. Also the "ah-huh's" and "na-huh's,"  
12 sometimes we in casual conversation do that and  
13 that's also hard to take down. So "yes's" and  
14 "no's" okay?

15 A. Okay.

16 Q. Do you have any medical condition or  
17 other condition that would prevent you from  
18 truthfully testifying today?

19 A. No.

20 Q. Have you taken any drugs or alcohol  
21 today?

22 A. No.

23 Q. Do you have any other problem that  
24 might prevent you from either recalling events or

1 truthfully testifying?

2 A. No.

3 Q. Have you ever filed for bankruptcy?

4 A. No.

5 Q. Have you ever been convicted or pled  
6 guilty to a crime?

7 A. No.

8 Q. You're going pretty quickly.

9 A. Is that it?

10 Q. Why did you file the --

11 A. I'm trying.

12 Q. -- lawsuit against -- why did you file  
13 the lawsuit against AK Steel?

14 A. I feel I was discriminated against  
15 when I filled out my application. And I did get a  
16 call from Middletown saying -- I guess it was quite  
17 like an interview. I'm not really sure, but I got  
18 a call from Middletown. A woman called me. I do  
19 not remember her name. And the only thing she  
20 asked me was, why would I want to work at AK Steel  
21 and I gave her an answer.

22 And that was all I heard from them,  
23 and then I got -- I received a letter that said  
24 basically -- you know, thank you for your time, but

1 we will not be needing you at this point. And it  
2 didn't say -- and then when I was talking to some  
3 people, their letters that they received were  
4 saying that they had failed in certain subjects --  
5 you know, on the tests and mine didn't say that.  
6 So I just kind of felt within talking to other  
7 people, that something's wrong here.

8 Q. Okay. When was this?

9 A. This was in 1999.

10 Q. And you said that -- so you applied in  
11 1999?

12 A. Yes.

13 Q. You said you got a call from somebody  
14 at Middletown?

15 A. Yes.

16 Q. Did you apply in Middletown or  
17 Ashland?

18 A. No, I applied in Ashland, but the call  
19 came from Middletown.

20 Q. And how do you know that?

21 A. Because on the screen, it -- on my  
22 caller ID, it said Middletown and it said -- it had  
23 the number.

24 Q. Do you remember what the number was?

1 A. No, I don't.

2 Q. And the individual who called you, did  
3 she identify herself in any respect?

4 A. She -- I'm sure she did. She told me  
5 who she was, but I -- I cannot remember.

6 Q. Do you remember what her position was?

7 A. No.

8 Q. Do you remember if she even said that  
9 she worked for AK Steel?

10 A. Yes, I -- I do remember that. I  
11 mean -- you know, she told me who she was because  
12 I -- I was really excited. I thought, oh, man.  
13 You know, AK Steel is calling me. I must've got  
14 the job. So, yeah, I know she -- she identified  
15 herself.

16 Q. And other than knowing that she's a  
17 woman and that she identified herself in some  
18 manner, you don't know who it was?

19 A. I'm sorry, I don't.

20 Q. And do you have a copy of the letter  
21 that you received?

22 A. No. I --

23 Q. Okay. What happened to that?

24 A. I just threw it away when I received

1 it and I thought, shew, I didn't get this job.

2 Threw it away.

3 Q. And what did the letter say?

4 A. It was saying that -- you know, thank  
5 you for your time, but we will not be needing you  
6 at this time or -- you know, something to that  
7 effect, saying thank you for -- you know, the time  
8 that you took for filling out your application and  
9 I guess talking to her on the phone, but you're not  
10 needed.

11 Q. Did the woman, when she called, she  
12 asked you one question?

13 A. Yeah, that was the only question she  
14 asked me.

15 Q. How did you answer it?

16 A. I told her -- now, this is what I can  
17 remember, you know. Was basically I told her that  
18 I've always lived in this area and I've had friends  
19 and family that worked there and always made a  
20 great living and that was really the place I'd like  
21 to work.

22 Q. Did you tell her what kind of job you  
23 wanted to do?

24 A. No, she didn't ask me that.



1 Q. Who are the friends and family that  
2 you knew that worked there?

3 A. Well, I had several uncles work there.  
4 I've got a brother that still works there and just  
5 friends, you know.

6 Q. Okay. Let's go through the names  
7 here. The uncles?

8 A. My -- there's a James Jackson, a Leroy  
9 Jackson.

10 Q. Those are both uncle?

11 A. Mm-hmm. Well, one's a -- was a  
12 father-in-law and the other one's an uncle.

13 Q. Let me --

14 A. Okay.

15 Q. James Jackson, he is --

16 A. James Jackson is a uncle.

17 Q. Okay. And he currently works at AK  
18 Steel?

19 A. No, no, he's retired.

20 Q. Okay. When did he retire?

21 A. Oh, I'm not sure.

22 Q. Do you know how long he worked at AK?

23 A. He worked there for a long time.

24 Well, I'm not even going to guess, but, yeah, he

1 worked there for a long time?

2 Q. And is he African-American?

3 A. Yes.

4 Q. Okay. And do you know what position  
5 he held?

6 A. No.

7 Q. What about Leroy Jackson, who is he?

8 A. He -- he's a father-in-law or  
9 ex-father-in-law, whatever. And he -- he worked  
10 there and retired there probably about -- I'm  
11 saying about five years ago.

12 Q. Okay. And is he also  
13 African-American?

14 A. Yes.

15 Q. And do you know how long he worked  
16 there?

17 A. No. I'm saying 30-some years, but I'm  
18 not really sure.

19 Q. Any other uncles or father-in-laws?

20 A. No. Well, I've got a Richard Jackson.  
21 He works there. I'm not sure -- he worked there.  
22 I'm not sure if he still works there or if he  
23 retired, and that was an uncle.

24 Q. Okay.

1 A. And my brother works up there now.

2 Q. What's your brother's name?

3 A. Calvin Troxler.

4 Q. How do you spell it?

5 A. T-R-O-X-L-E-R.

6 Q. What is -- what does he do there?

7 A. I think he is a safety supervisor, I  
8 think.

9 Q. Do you know how long he's been there?

10 A. No. He's been there a long time, but  
11 I'm not -- I'm not really sure.

12 Q. More than 10 years?

13 A. Oh, yeah. He's hoping to retire in --  
14 probably in a few years, couple years, five years.

15 Q. And Richard Jackson, you said he was  
16 an uncle?

17 A. Mm-hmm.

18 Q. And --

19 A. I'm not sure if he's retired there or  
20 if he still works there.

21 Q. Okay.

22 A. That, I'm not sure of.

23 Q. Do you know how long he worked there?

24 A. No.

1 Q. Okay. And then you said you had some  
2 friends. Who else do you know that works there?

3 A. Joe Garred.

4 Q. How do you spell his name?

5 A. G-A-R-R-E-D

6 Q. And what did -- do you know what Joe  
7 does?

8 A. Na-huh.

9 Q. Do you know how long he's been there?

10 A. No. He's been there more than 10  
11 years, you know.

12 Q. And do you know what race?

13 A. Yeah, black.

14 Q. I'm assuming that Richard Jackson --

15 A. Yeah.

16 Q. -- is also African-American?

17 A. Yeah, yeah.

18 Q. And Calvin Troxler?

19 A. Yeah, yeah.

20 Q. What other friends do you know that  
21 work there?

22 A. Well, I had another cousin. She still  
23 works there. She works in the office. Her name  
24 was Donna Jackson, but I think when they downsized

1 or something, she lost her job. She wasn't fired  
2 or anything. She worked there for years, right  
3 after school -- out of school, I think.

4 Q. She's also African-American?

5 A. Yes.

6 Q. Anyone else?

7 A. I'm sure there's a bunch, but I -- I  
8 don't know.

9 Q. All right. I forgot to ask you. I  
10 apologize. Can you state your full name for the  
11 record?

12 A. Kay Francis Jackson.

13 Q. And is Jackson, is that your maiden  
14 name, married name?

15 A. Married name. Well, I'm not married  
16 now, but that is my married name.

17 Q. And these uncles and cousins, are they  
18 your uncles and cousins or were they your  
19 husband's --

20 A. They were my -- my mom -- they were  
21 mine --

22 Q. Okay.

23 A. -- yeah. I was -- my mom was a  
24 Jackson and I married a Jackson.

1 Q. Okay.

2 A. It's kind of confusing. I'm sorry.

3 It's none of that freaky stuff, yeah.

4 Q. Well, at least Jackson is kind of a  
5 common name. We had a partner whose last name is  
6 Reilly and it's spelled kind of a weird way and his  
7 daughter actually married a Reilly. It's happened.

8 A. Okay.

9 Q. Okay. Now, you said that you talked  
10 to people and that they had received letters that  
11 said --

12 A. Mm-hmm.

13 Q. -- they failed a test in some fashion.  
14 Who are these people that you talked to?

15 A. Well, actually I -- I talked to my  
16 brother and he was giving me -- some people he had  
17 went to church with a, couple of African-American  
18 men, had applied for a job there and their letters  
19 stated what they had failed in.

20 Q. Okay. So you didn't hear this from  
21 these men, that you heard it from your brother?

22 A. Yes.

23 Q. Okay. And your brother told you that  
24 he had talked to some African-American men at his

1 church --

2 A. Yeah.

3 Q. -- who told him that they got a letter  
4 that said what they failed in?

5 A. Right.

6 Q. Do you know who these individuals are?

7 A. No, I don't remember.

8 Q. But they were African-American as  
9 well?

10 A. Yes.

11 Q. And you had -- had you not received a  
12 call from someone at AK Steel Ashland, telling you  
13 that you had failed the test as well?

14 A. No.

15 Q. You never did?

16 A. No.

17 Q. Okay. Any other reason that you  
18 believe that AK Steel discriminated against you?

19 MS. DONAHUE: Object to the form, as  
20 far as it calls for a legal conclusion. But you  
21 can go ahead and answer. Go ahead. I'm just --  
22 I'm just recording my --

23 THE WITNESS: Oh, okay.

24 MS. DONAHUE: -- objections.

1 MS. DONAHUE: All right. Don't let it  
2 distract you.

3 THE WITNESS: Okay. You want to  
4 repeat the question?

5 MS. DONAHUE: You have to answer the  
6 questions unless I instruct you not to answer.

7 THE WITNESS: Oh, okay.

8 MS. DONAHUE: And I doubt that -- that  
9 I would be -- she won't ask those questions.

10 THE WITNESS: Okay. I'm sorry.

11 BY MS. PRYOR:

12 Q. Why do you believe that AK Steel  
13 discriminated against you?

14 MS. DONAHUE: Object to the form of  
15 the question.

16 A. Well, as I told you -- you know, as  
17 far as that letter and stuff concerning --  
18 concerning that letter, that AK Steel has --  
19 they've kind of had a history of racial  
20 discrimination.

21 Q. What's that history?

22 A. I think back in the -- I'm trying to  
23 think. Back in the seventies, I don't think  
24 African-Americans were able to work certain jobs or



1 in certain departments.

2 Q. And how do you -- have you heard that?

3 A. Yeah. I mean, I've heard that growing  
4 up --

5 Q. From who?

6 A. -- you know. From just family  
7 members, just sitting around talking when -- it was  
8 like -- well, I hate to -- well, let's see. For  
9 example, this would just be an example. You know,  
10 I don't know if this is any -- like me and my  
11 uncles would be sitting around and they would say,  
12 well, Richard didn't get the job because they don't  
13 accept African-Americans in to work in the furnace  
14 part of AK Steel.

15 Q. Are you saying that he did say that or  
16 is that just --

17 A. No, that's just -- you're saying how  
18 did I know, I'm saying growing up, of course I was  
19 young then, but I do remember racial -- you know,  
20 them talking racial stuff, so -- about -- at AK  
21 Steel and --

22 Q. Have you heard anything after the  
23 seventies?

24 A. Yeah, I'm sure I did.

1 Q. Can you give me any examples?

2 A. No, I can't give you an example,  
3 but -- you know, I'm -- I'm pretty sure I have. I  
4 mean, I don't -- I don't know. It's kind of lost  
5 me.

6 Q. Have any of your other relatives ever  
7 filed lawsuits or sued AK Steel?

8 A. I don't think so.

9 Q. Have any of them ever filed a lawsuit  
10 or a charge or a complaint of discrimination  
11 against anyone else?

12 A. No, not to my knowledge.

13 Q. What are you seeking to obtain in this  
14 lawsuit?

15 A. Well, I'm hoping that AK Steel changes  
16 its ways of how they hire people and testing and  
17 African-Americans mainly. And as far as me, I  
18 just -- you know, want what the law allows, but I'm  
19 hoping that they change their ways.

20 Q. What do you mean by "change their  
21 ways"?

22 A. As far as hiring blacks.

23 Q. What are they doing that you think is  
24 not right?

1           A.       They're -- something is wrong with the  
2     testing. I don't know if they score people higher  
3     or -- I mean, I don't know their scoring. But I  
4     just can't believe that every black person that  
5     goes up there and applies fails that job -- fails  
6     that test.

7           Q.       Okay. What black people do you know  
8     that have applied and failed tests?

9           A.       Well, there was about 20 of us. Now,  
10    let me take that back. There was -- there was  
11    probably about 10 of us that took that test the  
12    same day in January of 1990 -- I believe it was  
13    January of 1999 and none of us was called.

14          Q.       Who are those individuals?

15          A.       Well, I -- I don't -- I don't know  
16    them. I'm trying to think. There was one girl I  
17    knew. There was one girl that I knew and I think  
18    her name was -- I think her name is Vicki, Vicki  
19    Nelson. But I really don't know the other ones  
20    that took it.

21          Q.       How do you know whether they passed or  
22    failed?

23          A.       Because I know somebody that worked  
24    there and none of them was ever hired, so --

1 Q. How do you know that they were never  
2 hired?

3 A. Because this person told me that none  
4 of them was never hired.

5 Q. Who was this person?

6 A. Rodney Cosby.

7 Q. What did Rodney Cosby tell you?

8 A. He just told me that none of them were  
9 hired.

10 Q. And do you know whether they were not  
11 hired because of the test or because of any other  
12 reason?

13 A. I have no idea.

14 Q. How do you know Rodney Cosby?

15 A. He's a -- he's a neighbor.

16 Q. And does he work at AK Steel?

17 A. Yeah, matter of fact, he does.

18 Q. Do you know if he works in the hiring  
19 department?

20 A. I don't know. I don't think so.

21 Q. What else has he told you about AK  
22 Steel?

23 A. That's about it. That was -- I mean,  
24 he was the one that told me that they were testing

1 or -- you know, in 1999. And that's why I went up  
2 there and -- and turned my application -- or resume  
3 in and took the test.

4 Q. Did you fill out an application in  
5 1999 or just turn in a resume?

6 A. They -- I just turned in a resume.  
7 They didn't ask for application.

8 Q. Okay. Who did you turn it into?

9 A. Susan -- gosh. Her name is Susan and  
10 I think she's over the hiring, but I don't remember  
11 her last name. She --

12 Q. Is that Lester?

13 A. That's her, and she's still --

14 Q. Okay. Was this at a job fair? Was it  
15 at AK Steel?

16 A. It was at AK Steel.

17 Q. Did anyone go with you to turn it in?

18 A. No, I was by myself.

19 Q. Did Susan say anything to you when you  
20 handed in your resume?

21 A. No.

22 Q. Did you see her that day?

23 A. No. They -- I handed it to -- there  
24 was a guard at there that you was supposed to give

1 the applications to him and then he would -- or the  
2 resumes or whatever to him, and then he -- they  
3 were turning them in.

4 Q. Who told them that you had to turn it  
5 into a guard?

6 A. They -- the guard said he would take  
7 it when I pulled up. You know, he knew -- I  
8 said -- I went in and I told him that I -- I need  
9 to give this resume to Susan Lester because they  
10 had had a job fair, but I didn't know about it  
11 then.

12 And so he took it -- well, I gave it  
13 to him to give to Susan Lester and I know she had  
14 it or they wouldn't have called me about -- well,  
15 no, I take that back. Let's see. I'm sorry.

16 Q. That's okay.

17 A. That's 1999. I'm trying to think.  
18 Yeah. I know I had to turn it -- that she got it  
19 because that's when I got a call about when to take  
20 the test, what -- what day the testing was on --

21 Q. Okay.

22 A. -- 'cause she wouldn't have known if  
23 she hadn't got it --

24 Q. Who told --

1 A. -- my phone number.

2 Q. Who told you about the job fair?

3 A. I think Rodney told me, yeah.

4 Q. Did he tell you before the job fair or  
5 after?

6 A. After the job fair. He was -- he  
7 didn't tell me about the job fair. He was telling  
8 me that they were going to do testing and that I  
9 would need to turn in that resume or -- yeah, to  
10 Susan Lester.

11 Q. How did you find out about the job  
12 fair?

13 A. I don't know if it was in the paper.  
14 I don't know. I don't recall.

15 Q. Did you find out before the job fair  
16 or after the job fair?

17 A. I found out after the job fair that I  
18 was supposed to go to -- that I could turn my  
19 resume into Susan Lester.

20 Q. That's my question, is when did you  
21 find out there was a job fair? Did you find out  
22 about that before the job fair or did you find out  
23 about the job fair after the job fair?

24 MS. DONAHUE: Object to the form.

1 Asked and answered about two times. Okay.

2 A. Okay. I found out about the job fair  
3 after the job fair. Does that answer your  
4 question?

5 Q. Yes. And do you remember who you --  
6 you don't remember how you found out about it?

7 A. No. I was telling you that Rodney  
8 Cosby was the one that told me about it afterwards.

9 Q. Okay. Earlier you said that Rodney  
10 did not tell you about the job fair, he told you to  
11 go to Susan Lester.

12 A. No. I --

13 Q. I'm trying to clarify.

14 A. I'm sorry.

15 MS. DONAHUE: One at a time.

16 A. I'm sorry.

17 Q. Okay.

18 A. Let me get -- okay. He told me about  
19 the job fair. He -- he didn't tell me about the  
20 job fair. It was after the job fair that I found  
21 out that I could -- since I missed the job fair,  
22 that I could go and take my resume to Susan Lester.

23 Q. Okay. So in that conversation with  
24 Rodney Cosby, he mentioned there had been a job



1 fair?

2 A. Yes.

3 Q. Thank you.

4 A. I'm sorry.

5 Q. Okay. So he -- Rodney Cosby said you  
6 can go and turn your resume into Susan Lester?

7 A. Mm-hmm.

8 Q. And you then took it to -- and gave it  
9 to a guard?

10 A. Mm-hmm.

11 Q. Okay. And what happened after that?

12 A. He took it, and then someone called --  
13 or Susan or her secretary or somebody called me and  
14 told me when the testing date was and what time the  
15 test -- you know, the test start and what time to  
16 be there.

17 Q. Okay. Did they tell you anything  
18 else?

19 A. No.

20 Q. At the test, did anyone tell you  
21 anything?

22 A. No.

23 Q. Okay. And did you ever hear back from  
24 anyone about that test?

1 A. No.

2 Q. And other than the phone call you've  
3 already talked to me about --

4 A. Right.

5 Q. -- did you ever hear anything else  
6 back -- and the letter --

7 A. No.

8 Q. -- that you don't have a copy of, did  
9 you ever hear anything else back from AK Steel?

10 A. No.

11 Q. How did you become a part of this  
12 lawsuit, this group?

13 A. The -- some -- someone got in touch  
14 with me.

15 Q. Who got in touch with you?

16 A. The lawyers.

17 Q. So you didn't know about it until the  
18 lawyers contacted you?

19 A. Right.

20 Q. Had you expressed any interest to sue  
21 before the lawyers contacted you?

22 A. I knew something wasn't right, but I  
23 didn't express any interest to sue.

24 Q. Have you talked to any of the other

1 plaintiffs in this case before the lawsuit --  
2 before the lawyers got in contact with you?

3 A. I -- no, I didn't.

4 Q. Do you know any of the other  
5 plaintiffs?

6 A. Yes.

7 Q. Who do you know?

8 A. I know the Carters.

9 Q. And who are the Carters?

10 A. I don't know. I mean, I know of them,  
11 you know.

12 Q. What do you know about them?

13 A. I mean, I just know who they are. I  
14 don't hang around with them or anything is what I'm  
15 saying.

16 Q. How do you know that?

17 A. I just know them where I -- where I  
18 used to go over Ironton and that's where they live.

19 Q. Okay. Who are the Carters?

20 A. Well, there's -- I always called her  
21 Dee Dee Carter. I don't know what her real name  
22 is. Then her daughter I think is Marnie or Monty  
23 Carter, Marnie, I -- and -- and her brother, which  
24 his name is Dennis.

1 Q. Do you know anything about their  
2 qualifications?

3 A. No, I don't.

4 Q. Do you know anything about their  
5 applications to AK Steel?

6 A. No, I don't.

7 Q. Do you know any other plaintiffs in  
8 this lawsuit?

9 A. Tiffany Jackson.

10 Q. And how do you know Tiffany?

11 A. She's married to my cousin.

12 Q. Which cousin is that?

13 A. Frederick.

14 Q. And do you know anything about  
15 Tiffany's qualifications?

16 A. No, I don't.

17 Q. Do you know anything about her job  
18 history?

19 A. No, I don't.

20 Q. Do you know anything about her job  
21 application to AK Steel?

22 A. No, I don't.

23 Q. Do you know any of the other  
24 plaintiffs?

1           A.       No.

2           Q.       Have you ever talked with any of the  
3 plaintiffs outside of counsel?

4                   MS. DONAHUE:   She means -- you know  
5 what she means?

6                   THE WITNESS:   No.

7                   MS. DONAHUE:   She means if you've  
8 talked to them without your lawyers being there.

9       BY MS. PRYOR:

10          Q.       Either on the phone or in person?

11          A.       Well, I talked to them like somebody's  
12 called me and asked me for a ride or something  
13 basically. But as far as just chatting with them  
14 about this, no, I don't.

15          Q.       Have you had any conversations with  
16 them about AK Steel?

17          A.       Yeah. I mean, yeah, we have  
18 conversations before.

19          Q.       What conversations have you had about  
20 AK Steel?

21                   MS. DONAHUE:   But nothing with your  
22 lawyers present, only outside of having your  
23 lawyers there.

24                   THE WITNESS:   Right, okay.

1 MS. DONAHUE: Okay.

2 A. The only conversations we have is  
3 like -- you know, how you think the case is going  
4 or do you think -- when you think we'll meet again.  
5 It's -- basically that's it. We don't really  
6 actually go into what's going on with the case --  
7 you know, or -- it's basically to see if anybody's  
8 heard anything.

9 Q. How many meetings have you had with  
10 your attorneys prior to filing the lawsuit?

11 A. To my knowledge, I think we've had two  
12 or three.

13 Q. And who all was present at those  
14 meetings?

15 A. I don't know.

16 Q. You didn't recognize anyone there?

17 A. Yeah. I mean, I recognize them, but I  
18 don't know their names, you know. I know the  
19 Carters were there, except for Marnie. Tiffany was  
20 at the -- that meeting, at one of the meetings. I  
21 think she couldn't make it to the other ones. Now,  
22 the other ones -- of the other people that were  
23 there, I don't -- I don't know them --

24 Q. Okay.

1 A. -- so I can't give you their names.

2 Q. Are you aware of -- can you identify  
3 for me anyone who has failed the AK Steel test and  
4 not been hired by AK Steel?

5 A. Repeat the question again.

6 Q. That wasn't a very good question. Are  
7 you aware of anyone else who has failed the AK  
8 Steel test?

9 A. Yeah, I'd say the other plaintiffs. I  
10 mean, I don't know if they failed it or not, but  
11 that's what they're saying, I guess.

12 Q. Other than those, do you know of  
13 anyone else?

14 A. No, I don't, not at this time. I  
15 mean, I'm -- if I think hard enough maybe I could  
16 figure out somebody, but no, not at this time.

17 Q. Is there anything that would help you  
18 remember someone else who's failed it?

19 A. That's failed the test, no. I -- at  
20 this time, I just don't -- I don't remember.

21 Q. Do you know of anyone who has failed  
22 the tests and been hired by AK Steel?

23 A. No, I don't.

24 Q. Do you know of any white applicants

1 who have taken the AK Steel test?

2 A. Yes, I do, but I'm not -- not sure if  
3 I can remember his name but, yes, yes, I do know  
4 one.

5 Q. Who is it?

6 A. His -- gosh. I used to work with him,  
7 but I can't -- let me -- I -- I can't -- I can't  
8 think of his name, I'm sorry.

9 Q. Where did you work with him at?

10 A. I worked at a place called the County  
11 Fair in 2002, just for a few months.

12 Q. Do you know when he applied or took  
13 the test at AK Steel?

14 A. It must have been around 2001, 2002.

15 Q. And do you know whether he passed or  
16 failed the test?

17 A. He said he passed it and said they --  
18 they lost the test and came in and -- and asked him  
19 to take another one and it was for clerical. But  
20 he passed the labor -- you know, the one they -- I  
21 guess they give you different tests.

22 Q. Do you know whether he passed the  
23 clerical test?

24 A. I don't think he did. I'm not really



1 sure.

2 Q. According to him, he passed the test,  
3 but they lost the test and they made him take  
4 another test and he failed that?

5 A. Yeah, he -- something about they -- he  
6 passed the test and -- let me get this straight  
7 now. He passed the test and I -- I'm thinking they  
8 called him or something, and then they lost his  
9 test. Well, they had him in, back and forth three  
10 or four times, just trying to get a job. I don't  
11 know.

12 Q. But you understand that he was not  
13 hired by AK Steel?

14 A. Right, he was not hired.

15 Q. Do you understand that you are seeking  
16 to be a class representative in this lawsuit?

17 A. Yes.

18 Q. What's your understanding of your roll  
19 as a class representative?

20 A. Well, I -- the only thing I think --  
21 that I guess I'm speaking for the other  
22 African-Americans. I'm not really -- I guess.

23 Q. You're not really sure?

24 A. No, I'm not real sure.

1 Q. Do you know where settlement  
2 negotiations stand in this case?

3 A. No, I do not.

4 Q. Do you know how much your attorneys  
5 have spent in fees and expenses in this case?

6 A. No, I do not.

7 Q. Do you understand that you have waived  
8 your right to recover compensatory and punitive  
9 damages in this case?

10 MS. DONAHUE: Object to the form.  
11 Calls for a legal conclusion. But answer if you  
12 know.

13 A. No.

14 Q. You're not aware of that?

15 A. No.

16 MS. DONAHUE: Also, I think I object  
17 to that as it lacks foundation.

18 BY MS. PRYOR:

19 Q. How many times have you applied at AK  
20 Steel?

21 A. Two that I -- two that I can give you  
22 exact years and that was 1999 and 2001, but I  
23 wasn't sure the -- of the other years that --  
24 absolutely sure of what year I took them, so I

1 didn't put them down.

2 Q. How many times total?

3 A. I'd say about four.

4 Q. And the other two times, do you  
5 remember, were they before 1999?

6 A. One of them was.

7 Q. Okay. So once before 1999?

8 A. Mm-hmm.

9 Q. And the -- I guess the fourth time,  
10 was that between 1999 and 2001?

11 A. I think I took it in 2002, too, but I  
12 wasn't sure. But I knew 1999 and 2001.

13 Q. And how did you know 1999 and 2001?

14 A. Because I just lost my job in 1998 and  
15 they started taking, accepting resumes for AK Steel  
16 in 1999.

17 Q. But you think you applied another time  
18 before 1999?

19 A. Yeah.

20 Q. Was that when you still had your job?

21 A. Yeah, but I knew it was getting close.  
22 Something was wrong.

23 Q. Were they taking resumes the first  
24 time?

1 A. Yes.

2 Q. Do you know whether they were hiring?

3 A. You know, I'm not really sure if they  
4 was hiring then. I think I just sent my resume in.

5 Q. Do you know who you sent the resume in  
6 to?

7 A. Susan Lester. She -- she's always --  
8 I mean, she's been up there for quite awhile.

9 Q. And did you ever hear anything back  
10 from her the first time you applied?

11 A. No, I didn't.

12 Q. You've been handed what's been marked  
13 as Exhibit Number 1. Have you seen this document  
14 before?

15 MS. DONAHUE: Look through the whole  
16 thing.

17 A. Okay. Yep, these are mine.

18 Q. And on the -- I believe it's the  
19 eighth page, is that your signature?

20 A. Yes.

21 Q. And these were your answers to these  
22 questions?

23 A. Yes.

24 Q. And they look true and accurate?

1 A. Yes.

2 Q. Question number three asks you to  
3 identify all employers to whom you've applied.  
4 Have you applied to anyone besides AK Steel since  
5 2001?

6 A. Okay. Hold on just a second.

7 Q. It's on page 5.

8 A. Okay.

9 Q. Have you applied to any other  
10 employers other than AK Steel since 2001?

11 A. No, except for the County Fair. Well,  
12 except for the County Fair.

13 Q. What's the County Fair?

14 A. It was a little shop in the mall, just  
15 trying to get some extra money.

16 Q. And how long did you work there?

17 A. It -- April of 2002 to December of  
18 2002.

19 Q. Why did you leave there?

20 A. They closed. It closed.

21 Q. It says here you made \$65 per week?

22 A. Yeah.

23 Q. How many hours did you work?

24 A. I think I worked like eight, eight

1 hours, nine hours a week.

2 Q. This was a legitimate employer, it  
3 wasn't like a brother or a sister's --

4 A. No, it was just --

5 Q. You got taxes?

6 A. Yeah, mm-hmm.

7 Q. You got a W-2 from them?

8 A. I don't. I think that's the one I  
9 couldn't find, but I did -- I did have one.

10 Q. Have you looked for it?

11 A. Yes, I did. But since then, I have  
12 moved and I --

13 Q. When did you move?

14 A. I moved in 2003.

15 Q. What's your current address?

16 A. 1001 Winifred Street, Greenup,  
17 Kentucky 41114.

18 Q. Is that where you moved in 2003?

19 A. Yes.

20 Q. Where did you live before that?

21 A. 1223 Winifred Street.

22 Q. And are you currently married?

23 A. No.

24 Q. Were you married at one point?

1 A. Yes.

2 Q. When were you married?

3 A. 1982 to 1989.

4 Q. And what was your husband's name?

5 A. Brooks Jackson.

6 Q. And do you have any children?

7 A. Yes.

8 Q. How many children do you have?

9 A. I have two boys.

10 Q. How old are they?

11 A. 13 and 23.

12 Q. And what are their names?

13 A. Daniel and Darius.

14 Q. Do you know a Bradley Jackson?

15 A. No, I do not.

16 Q. What's your educational background?

17 A. I went through high school -- or  
18 kindergarten through 12th grade and I had a couple  
19 of years of vocational school while I was in high  
20 school.

21 Q. Did you graduate from high school?

22 A. Yes, I did.

23 Q. What year did you graduate?

24 A. 1978.

1 Q. What high school did you graduate  
2 from?

3 A. Greenup County.

4 Q. And where did you go to work after  
5 high school?

6 A. I went to work at Ashland Oil.

7 Q. What did you do there?

8 A. I did clerical work.

9 Q. And how long did you work there?

10 A. I -- I worked there from -- I worked  
11 there till 1981.

12 Q. And did you start there right out of  
13 high school in 1978?

14 A. Yes.

15 Q. Where did you live?

16 A. I got -- got a better job.

17 Q. What was the better job?

18 A. It was at DuPont.

19 Q. What did you do at DuPont?

20 A. More clerical work and shipping and  
21 receiving and --

22 Q. Shipping and receiving, was that the  
23 paperwork for shipping and receiving?

24 A. No. Well, actually -- okay. I did --



1 shipping and receiving, I shipped stuff out and  
2 received things in.

3 Q. What would you ship out?

4 A. We would be shipping out microfoam.  
5 It's microfoam. It's a packaging material.

6 Q. And when -- why was DuPont a better  
7 job?

8 A. It was more pay and closer to home.

9 Q. So you voluntarily left Ashland Oil?

10 A. Yes.

11 Q. And how long did you work at DuPont?

12 A. Well, I started there 1981 and the  
13 reason why I'm going all around there is because I  
14 started at DuPont in 1981, and then DuPont sold its  
15 microfoam division and -- to Ametek, but it was  
16 still basically part of DuPont and I still got the  
17 time served -- you know, not time served, but time  
18 that I worked there. So basically, in all, I  
19 worked 17 and a half years.

20 Q. Okay. So you left there when?

21 A. I left there in 1998.

22 Q. Okay.

23 A. -- and just so -- I think I've got  
24 this somewhere --

1 Q. Okay. But you went from -- DuPont  
2 became Ametek or sold, so you were working for  
3 Ametek?

4 A. Yeah.

5 Q. Now, was that roughly 1983?

6 A. Yeah, I think so.

7 Q. Okay.

8 A. And then they sold it again to  
9 Tenneco.

10 Q. Okay. Was there an Astro --

11 A. Yeah, I forgot about that one. There  
12 is an Astro-Valcour --

13 Q. Okay.

14 A. -- and then Tenneco.

15 Q. Okay. So it was one -- you were doing  
16 the same job for all of those companies?

17 A. Basically -- well, you know, we  
18 started doing -- I became -- we started  
19 cross-training, so I did more than one job. Like I  
20 said, I did the shipping and receiving, which would  
21 be shipping out parts or shipping out the  
22 microfoam.

23 And also I did receiving, like on  
24 spare parts. I worked the storeroom. I would

1 bring in the stuff we needed like storeroom stuff,  
2 bolts and nuts and whatever. And also I had  
3 experience in loading trucks before and payroll and  
4 the rest clerical stuff.

5 Q. What period of time did you do the  
6 shipping?

7 A. As far as physically loading the  
8 trucks, that was only a few months because it was  
9 like a cross-training thing.

10 Q. Okay. So the rest of the time was  
11 pretty much more of a clerical --

12 A. It was pretty much shipping and  
13 receiving -- you know, which is I guess basically  
14 clerical, like -- you know, bringing in UPS and  
15 Federal Express, and then shipping parts out. And  
16 when they were low on something and needed, I would  
17 do the ordering.

18 Q. Ordering?

19 A. Ah-huh.

20 Q. And why did you leave Tenneco?

21 A. They downsized.

22 Q. And you were one of the ones  
23 downsized?

24 A. Yeah, the whole customer service --

1 well, towards the end, I started working customer  
2 service and the whole customer service department  
3 moved to other places, so --

4 Q. Did you look for another position  
5 within Tenneco?

6 A. No. They really didn't have one, you  
7 know. They -- they really didn't have one for me  
8 and that's it.

9 Q. Where did you work after Tenneco?

10 A. I started at Shawnee Mental Health  
11 Center in 1999, September of 1999.

12 Q. What did you do there?

13 A. I do accounts payable and payroll.

14 Q. And you're still there?

15 A. Yes.

16 Q. And what did you start out receiving  
17 pay-wise?

18 A. \$8.50.

19 Q. And have you received any raises?

20 A. Yeah, I think I'm up to 11.38.

21 Q. Do you receive a raise a year?

22 A. No, just every time they decide to  
23 give us one, which is not too often. We haven't  
24 received one for four years now, so --

1 Q. So you've been making 11.38 for about  
2 four years?

3 A. Mm-hmm.

4 Q. What kind of benefits do you have at  
5 Shawnee Mental Health Center?

6 A. Just medical.

7 Q. And do you pay for any part of that?

8 A. Yes, I do.

9 Q. How much do you pay?

10 A. I pay 50 -- about 50 -- it's 50-some  
11 dollars every two weeks. So a hundred-and-some  
12 dollars a month.

13 Q. And is that reflected on your pay  
14 stubs?

15 A. Yes.

16 Q. And do you have your pay stubs?

17 A. I might have one.

18 Q. Do you keep pay stubs?

19 A. Oh, yeah, yeah, I do.

20 Q. How far back do you have pay stubs?

21 A. You know what? I take that back. I  
22 keep them just for a little bit, and then I throw  
23 them away because I do payroll and if I need to  
24 look at something, I just look it up.

1 Q. So how long do you keep them for?

2 A. I keep them for about three or four  
3 months, and then I throw them away.

4 Q. Did you work anywhere between 1998 and  
5 September 1999?

6 A. No, I didn't.

7 Q. Did you apply anywhere during that  
8 time?

9 A. Yes.

10 Q. Where all did you apply?

11 A. I applied at -- like a Gibson Brothers  
12 Furniture, which -- and I think they're out of  
13 business. And I applied at some sewing place. I  
14 can't remember the name of it. I don't know. I --  
15 you know, I just start applying 'cause I needed --  
16 I needed a job, so --

17 Q. Did you get any other offers?

18 A. Yes. I got three offers at the same  
19 time. I got the Gibson Brothers and -- oh, there  
20 was Applied Cards that used to be up there and  
21 Shawnee Mental Health Center. And then that other  
22 place, I got an offer for all of them the same  
23 month and I -- I chose this one.

24 Q. Why did you choose Shawnee Mental

1 Health Center?

2 A. 'Cause at the time when I first  
3 started, it was 8.50 an hour, but you didn't have  
4 to pay for your medical insurance or anything,  
5 so --

6 Q. What was the job at Gibson Brothers?  
7 What would you be doing there?

8 A. It was like a furniture store. I'm  
9 not really sure what I'd been doing there.

10 Q. Was it a clerical position or were you  
11 looking to move furniture around?

12 A. Yeah, I'm not real sure. I think it  
13 was like floor person -- you know, just walking  
14 around trying to sell stuff.

15 Q. Sell?

16 A. Yeah.

17 Q. Have you ever applied to any other  
18 manufacturing facilities?

19 A. No.

20 Q. Is it fair to say that your work  
21 experience is primarily clerical or office work?

22 A. Yeah, that's fair to say.

23 Q. Have you ever been terminated by an  
24 employer?

1 A. No.

2 Q. Have you ever been disciplined at  
3 work?

4 A. No.

5 Q. Never been written up for anything?

6 A. No, I haven't.

7 Q. You ever had an incident or accident  
8 at work?

9 A. No, I haven't.

10 Q. Have you ever been involved in  
11 anything at work where accidents are common, call  
12 it a little bit more labor job?

13 A. That cause what? I'm sorry.

14 Q. Bad question again. Thank you.

15 Have you ever worked at a labor type  
16 job where you can get injured?

17 A. That shipping -- I mean, when I was  
18 loading trucks, I could've got injured, but --

19 Q. When you were cross-training for a  
20 couple months?

21 A. Yeah.

22 Q. Okay. Have you ever been involved in  
23 an incident that involved damage to company  
24 property?



1           A.     No, I have not.

2           Q.     Have you ever worked anywhere where  
3 you had to follow safety procedures?

4           A.     Yes.

5           Q.     When was that?

6           A.     That -- that's through the whole 17  
7 years I was there, they was -- they was high on  
8 safety.

9           Q.     What kind of safety procedures did you  
10 have to follow?

11          A.     Just certain ones, like if you went  
12 out -- like when I -- I worked in the office part,  
13 but when like UPS or Federal -- Federal Express or  
14 any kind of trucks would come in, I'd have to go  
15 through the shipping department. You know, the  
16 other department where they made a packaging  
17 material. And you have to have your steel-toed  
18 shoes on, eyeglasses and -- or safety glasses and  
19 hard hat.

20          Q.     Anything else?

21          A.     No, not that I know of, you know.

22          Q.     Okay. Do you have any mechanical  
23 experience?

24          A.     No, not really.

1 Q. Okay. Do you have any manufacturing  
2 experience?

3 A. What do you mean by -- I mean --

4 Q. Working in any kind of manufacturing  
5 facility or industrial setting, working around  
6 machines, anything like that?

7 A. Yeah, I would -- yeah, I did a little  
8 bit of it.

9 Q. Where was that at?

10 A. That was -- that was at the microfoam  
11 plant when we would go out there and -- and they  
12 was trying to show us how the machines worked and  
13 all that stuff and like that was our job for a  
14 couple months to --

15 Q. To do what?

16 A. To sit there and learn how to operate  
17 the machines.

18 Q. What kind of machines did they have?

19 A. I don't know what they was called, but  
20 they were machines that actually rolled the  
21 microfoam and made it what it was, like you --  
22 you'd have to know -- of course, this is when they  
23 used different -- like you'd have to know where to  
24 put the -- I think it was polypropylene and where

1 to put this and where to put that. And I -- as far  
2 as what the names of the machines were, I have no  
3 ideal. But it was just making the -- it was just  
4 the machines to make the packaging material.

5 Q. That was something you worked on for a  
6 couple months --

7 A. Yeah, it --

8 Q. -- cross-training?

9 A. Yeah, that was the cross-training  
10 thing, but -- you know, as far as being around it,  
11 yeah, I was --

12 Q. Did you ever run it on your own?

13 A. No, I did not.

14 Q. Do you know anything about hydraulics?

15 A. No, I do not.

16 Q. What about chemistry?

17 A. Well, no.

18 Q. How about electronics?

19 A. Okay. When you say do I know about  
20 it, how -- what --

21 Q. What do you know about it?

22 A. I mean, do I know how electricity  
23 works, yeah.

24 Q. Do you know anything beyond that?

1 A. No, no.

2 Q. Do you know anything beyond that?

3 A. No.

4 Q. What was your goal in applying at AK  
5 Steel? What kind of job did you want to have?

6 A. I would have took it -- I think I  
7 applied for the labor.

8 Q. Did you apply for a clerical position?

9 A. I'm also positive that I put -- there  
10 was like a few different things you could check and  
11 I -- and I put any. You know, I wanted any  
12 applications, anyway. And I thought, well, it's  
13 not what they're looking for, so I'll do the  
14 laborer thing.

15 Q. Would you have preferred to have a  
16 clerical job?

17 A. It didn't make any difference to me --

18 Q. Didn't make any --

19 A. -- 'cause I could do either one. I  
20 mean, you know. I might not have too much  
21 experience on that one, but I -- you know, I'm sure  
22 I could've done it, if it had to do with whatever  
23 you said, electricity.

24 Q. So you had no preference, though?

1 A. No.

2 Q. You've been handed what's been marked  
3 as Exhibit 2. Do you recognize Exhibit 2?

4 A. Ah-huh.

5 Q. What is it?

6 A. It's my application.

7 Q. And is that your handwriting  
8 throughout Exhibit 2?

9 A. Yes.

10 Q. And your signature on the last page?

11 A. Yes.

12 Q. And it looks like it's dated July  
13 21st, 2000, the top of the first page?

14 A. Yes.

15 Q. And is that when you submitted this  
16 application?

17 A. Yeah, I guess. I mean, that's my  
18 signature, yeah.

19 Q. Does that help refresh your memory of  
20 when you applied at AK Steel?

21 A. Yeah.

22 Q. Okay. How -- earlier you said 1999 --

23 A. Yeah --

24 Q. -- 2001?

1 A. Right.

2 Q. You said you think you applied one  
3 time before that and one time in 2002?

4 A. Okay.

5 Q. Does this help clarify any of that, in  
6 terms of when you may have applied?

7 A. Well, it says 2000, but I thought it  
8 was 1999. I guess I wasn't so sure.

9 Q. So you think this is the one we talked  
10 about earlier, the 1999 one when you were called  
11 back and took the test?

12 MS. DONAHUE: Don't guess.

13 A. No.

14 MS. DONAHUE: Don't guess.

15 A. Okay. Sorry. Do what now?

16 Q. You submitted Exhibit Number 2. What  
17 happened?

18 A. Okay. What do you mean "what  
19 happened"? I mean, this -- this is my -- this is a  
20 application.

21 Q. What did you do with it?

22 A. I gave one -- I don't know if this is  
23 the one, but I gave one to the guard.

24 Q. Okay. You said you applied --

1           A.     I'm sorry.

2           Q.     -- several times, you gave one to a  
3 guard?

4           A.     Yeah.

5           Q.     Where else did you apply or how else  
6 did you apply?

7           A.     I don't know, but I applied for it  
8 obviously.

9           Q.     Do you remember any other times  
10 submitting an application to AK Steel other than  
11 when you gave one to a guard?

12          A.     No, I really don't.

13          Q.     You don't remember any details about  
14 applying?

15          A.     This -- this has to be the one --  
16 okay. This was in 2000.

17                 MS. DONAHUE: Look all the way through  
18 it.

19                 THE WITNESS: Okay, sorry.

20                 MS. DONAHUE: That's all right. It  
21 just might help you.

22          A.     Okay. It says have you previously  
23 applied to AK Steel, yes, in August of 1999. Okay.  
24 Okay. This was after I was -- started working at

1 Shawnee Mental Health. Okay. Now, what -- what is  
2 your question?

3 Q. Yeah. How did -- where did you submit  
4 this application?

5 A. I'm -- I'm not really sure.

6 Q. Okay.

7 A. But it looks like she had it on the  
8 22nd.

9 Q. Let me ask you a different question --

10 A. Okay.

11 Q. -- see if we can narrow this down.

12 You completed this application, correct?

13 A. Yes, I did.

14 Q. You completed it honestly?

15 A. Yes.

16 Q. And you answered the questions to the  
17 best of your ability?

18 A. Yes.

19 Q. Right there on the first page, it asks  
20 have you previously applied and you say yes?

21 A. Yes.

22 Q. And you say August 1999?

23 A. Right.

24 Q. Earlier today, you testified that you



1 had submitted a resume --

2 A. Yes.

3 Q. -- at some point. Was that the August  
4 1999 that you submitted the resume the first time  
5 you applied?

6 A. The first time I applied -- okay.

7 Q. I'm assuming based, on this  
8 application, that you've applied -- at the time you  
9 filled this out, Exhibit 2 --

10 A. Right.

11 Q. -- on July 21st --

12 A. Right.

13 Q. -- you had applied one previous time,  
14 which is what you marked here; is that correct?

15 A. Yeah.

16 Q. Okay. And you state that you applied  
17 in August 1999, so I'm assuming that is correct?

18 A. Right.

19 Q. And was that the resume that you  
20 submitted that you never heard back on?

21 MS. DONAHUE: Excuse me. That --  
22 that -- object --

23 THE WITNESS: Yeah.

24 MS. DONAHUE: -- to the form. That

1 mischaracterizes her testimony.

2 THE WITNESS: Okay.

3 Q. Earlier I believe you testified that  
4 you had submitted a resume at one point?

5 A. Mm-hmm.

6 Q. You didn't know if you were hired and  
7 you never heard back on that resume?

8 MS. DONAHUE: She said that -- that  
9 was not her testimony.

10 Q. Is that true or false?

11 A. You asked me if I submitted a  
12 resume --

13 Q. Mm-hmm.

14 A. -- right? And I said yes, okay?

15 Q. I asked what happened and you said you  
16 never heard back.

17 MS. DONAHUE: Object.

18 A. Right.

19 MS. DONAHUE: Object.

20 THE WITNESS: I'm sorry.

21 MS. DONAHUE: She said she got the  
22 phone call and --

23 MS. PRYOR: That's a different time,  
24 ma'am.

1 MS. DONAHUE: Are you sure?

2 BY MS. PRYOR:

3 Q. Let me ask you --

4 A. Okay.

5 Q. -- did you submit a resume at some  
6 point and never hear back on it?

7 A. Yes, I did.

8 Q. Okay. And was that the first time  
9 that you applied at AK Steel?

10 A. Was this the first time --

11 Q. No.

12 A. -- that you're saying it?

13 Q. No.

14 A. Or was that --

15 Q. The resume that you never heard back  
16 from --

17 A. Ah-huh.

18 Q. -- is that what you were telling me,  
19 the first time you applied at AK Steel?

20 A. Okay. The resume that I heard -- oh,  
21 God.

22 Q. Earlier you put it back in the '98 to  
23 '99 frame, right after you got let go --

24 A. Yeah.

1           Q.     -- you sent in a resume. I believe  
2     your testimony, but please correct it, was that you  
3     don't know if they were hiring or not and you never  
4     heard back from them. And then you later applied a  
5     second time.

6                     What I'm trying to figure out is, was  
7     the first time you applied at AK, was that when you  
8     sent the resume and did not hear back? Just trying  
9     to put a sequence --

10           A.     I know it. I know it and I'm trying  
11     to think.

12                     MS. DONAHUE: Well, if you can't  
13     recall it --

14           A.     August of 1999 -- I lost my job in  
15     '98. I -- I can't recall. I mean, yeah, I  
16     don't -- I don't know. I'm --

17           Q.     Okay.

18           A.     I'm a little confused myself there.

19           Q.     When you completed this, you would  
20     have been being truthful and when you asked if  
21     you'd applied and you said yes and you wrote down a  
22     date, that means you've only applied one time  
23     previously; is that correct?

24           A.     Well, now I can't say that's correct.

1 I put August of 1999 and it says have you  
2 previously applied, yes, and when. So August of  
3 1999 might have been the only date that I  
4 remembered at that time.

5 Q. Okay.

6 A. So I put August 1999 'cause -- because  
7 I'm thinking probably if I put August 1999, I  
8 took -- you know, this was just July of 2000, so I  
9 probably remembered that. That might have been the  
10 only day I remembered at that time.

11 Q. So you're saying that --

12 A. That's the last time that I -- closest  
13 to 2000, that was the last time I applied.

14 Q. So you did not completely answer all  
15 of the other times that you may have applied. Is  
16 that what you're telling me?

17 A. It doesn't say all the other times.

18 Q. I'm just asking you. You did not list  
19 all the times you applied; is that correct?

20 A. Yes, that's correct.

21 Q. Okay. And you don't know, sitting  
22 here today, how many other times you applied; is  
23 that correct?

24 A. That's correct.

1 Q. And do you recall any of the  
2 circumstances of your application?

3 A. No, I don't.

4 Q. Okay. And do you remember in August  
5 1999 how you applied?

6 A. No, I don't.

7 Q. Okay. Do you know if you filled out  
8 an application in August 1999?

9 A. Well, no, I don't.

10 Q. Okay. Do you know in July 2000, how  
11 you submitted this application?

12 A. No.

13 Q. And earlier you testified about a time  
14 that you handed the guard -- did you hand the guard  
15 an application or a resume?

16 A. A resume. I didn't say I handed him a  
17 application.

18 Q. Okay. I'm just clarifying. You  
19 handed the guard a resume?

20 A. Yes.

21 Q. Do you remember, other than that time  
22 when you handed the guard a resume, do you remember  
23 any other circumstances of your applications to AK  
24 Steel?

1 A. No, I don't.

2 Q. Do you remember how you got the  
3 application?

4 A. No.

5 Q. Okay. When you handed the guard the  
6 resume, did you hear back on that resume ever?

7 A. No, I didn't.

8 Q. Okay. But at some point, you did hear  
9 back on an application and were called in to take a  
10 test. Was that on an application that you heard  
11 back and were called in to take a test?

12 A. Well, I don't know if it was the  
13 application or the resume now. I mean, but I -- I  
14 was called -- you know, back to take a test.

15 Q. And do you know when that was?

16 A. And I'm almost positive that was in  
17 1999.

18 Q. Do you know what month that was in?

19 A. To take a test, right?

20 Q. Mm-hmm.

21 A. I want to say January.

22 Q. Of 1999?

23 A. Of 1999.

24 Q. So that would have been before the

1 August of 1999 that you list on here?

2 A. Yeah, I guess.

3 Q. Have you ever been called in at any  
4 other time to take the test?

5 A. Yes, I've taken the test twice.

6 Q. You've taken it twice?

7 A. Yes.

8 Q. Do you remember when the other time  
9 you took the test was?

10 A. No, I don't.

11 Q. And have you ever heard -- on either  
12 time, did you ever hear back whether you passed or  
13 failed the test?

14 A. No, I didn't. I got that letter --  
15 you know, but it didn't say whether I passed or  
16 failed the test.

17 Q. Okay. And that was the first time you  
18 took the test?

19 A. I don't know if it was the first time  
20 or the second time. I -- I don't know, but I did  
21 receive a letter.

22 Q. Do you know if it was the 1999 time?  
23 Earlier you talked about it being in 1999.

24 A. See, I'm thinking -- the reason why



1 I'm saying 1999 is because I knew I was losing my  
2 job in 1998 and I remember just going out and AK  
3 Steel was one of the first places that I went to.

4 Q. Okay.

5 A. So, you know, that just is kind of  
6 stuck in my head, so --

7 Q. Is that when you believe you got the  
8 letter from AK Steel in 1999?

9 A. Yeah, that's what I believe. I could  
10 be wrong. I just got my dates a little confused.

11 MS. DONAHUE: That's all right.

12 BY MS. PRYOR:

13 Q. Why do you list Rodney Cosby as a  
14 reference?

15 A. Because he worked there at the time, I  
16 think.

17 Q. And who is Jackie Smith?

18 A. She's my supervisor.

19 Q. Where?

20 A. At Tenneco.

21 Q. And who is Donna Hayes?

22 A. She was my -- a friend of mine that  
23 worked at Tenneco.

24 Q. When you submitted this application in

1 July 2000, do you know whether or not AK Steel was  
2 hiring at that time?

3 A. No, I do not.

4 Q. When you submitted an application or a  
5 resume or whatever you did in 1999, do you know  
6 whether they were hiring at that time?

7 A. In 1999?

8 Q. Mm-hmm.

9 A. Yes, I'm pretty sure they were.

10 Q. In that time?

11 A. Yeah.

12 Q. And were you ever denied the right to  
13 apply at AK Steel?

14 A. No.

15 Q. Was anyone ever hostile to you in the  
16 application process?

17 A. No.

18 Q. Was the process itself hostile?

19 A. No.

20 Q. Do you have a copy of any of your  
21 previous applications to AK Steel?

22 A. No, I don't.

23 MS. DONAHUE: Excuse me. I gave you  
24 before we started a resume.

1 MS. PRYOR: I'm asking her a question.

2 MS. DONAHUE: I just wanted to put on  
3 the record that I have given you that. I don't  
4 think it was on the record before.

5 MS. PRYOR: Okay. Thank you.

6 MS. DONAHUE: That's fine. I just  
7 wanted to --

8 BY MS. PRYOR:

9 Q. Okay. You say you took a test twice.  
10 Was it the same procedure both times?

11 A. I do believe so.

12 Q. You were called in to take the test.  
13 Where did you take the test at?

14 A. At AK Steel.

15 Q. How many other people took it with  
16 you?

17 A. I'm not sure how many people were  
18 there.

19 Q. Okay. How long was the test? Was it  
20 a couple hours?

21 A. I'm not really sure, but probably. It  
22 seemed like it last forever.

23 Q. Was it just one test that you took?

24 A. Well, I mean, it had different parts

1 to it.

2 Q. And both times you took it, was it the  
3 same test, to your knowledge?

4 A. I'm -- I'm not really sure if it was  
5 or not.

6 Q. You said that you applied four times  
7 roughly?

8 A. Mm-hmm.

9 Q. Did you ever hear back, other than  
10 what we've already talked about today, have you  
11 heard back from AK Steel on any of these other  
12 applications?

13 A. No.

14 MS. DONAHUE: Object to the form,  
15 asked and answered. Go ahead.

16 A. No, I didn't.

17 Q. And you don't know where you submitted  
18 those applications, correct?

19 MS. DONAHUE: Object to the form,  
20 asked and answered.

21 A. The applications had to be at AK  
22 Steel. I mean -- you know, if you're at -- I mean,  
23 I don't -- I don't think I ever went to a job fair.  
24 So it had to be directly at AK Steel or through an

1 unemployment office. I mean --

2 Q. Okay. But do you remember?

3 A. No, but I do not remember.

4 Q. Okay. And do you know whether AK  
5 Steel was hiring other than 1999? I think you  
6 testified that you thought they were hiring. Do  
7 you know if they were hiring at any of the other  
8 times that you applied?

9 A. No, I don't.

10 MS. DONAHUE: Do you mean that you do  
11 not recall whether they were hiring or that they  
12 weren't hiring?

13 THE WITNESS: I'm saying I don't  
14 recall because -- I'm going to put this in here.  
15 Usually they don't even call you in for a test or  
16 anything unless they are hiring or planning on  
17 hiring somebody.

18 BY MS. PRYOR:

19 Q. Okay. And you were called two  
20 times --

21 A. Yes, I --

22 Q. -- to take that test?

23 A. -- was called two times.

24 Q. Do you have anything that would

1 refresh your memory on when the second time that  
2 you took the test was?

3 A. No, I -- no, because my memory must  
4 not be too good on these dates anyway, so --

5 Q. Have you applied -- since you took the  
6 test the second time, have you applied to AK Steel  
7 again?

8 A. I think I -- I think I applied in  
9 2002, but I'm not positive.

10 Q. And if you did, is it your memory that  
11 that would have been after the second time you took  
12 the test?

13 A. Yes.

14 Q. Okay.

15 A. Yeah.

16 Q. So the second time would have been  
17 before 2002?

18 A. Yes, yes.

19 Q. Okay. How often -- you said -- I  
20 think you said -- you testified you think you  
21 applied about four times?

22 A. Yeah.

23 Q. And how often would you be applying,  
24 was it once a year?

1           A.       Yes, probably.

2                   MS. DONAHUE: Do you want to take a  
3 break?

4                   MS. PRYOR: Let's finish this one.

5                   MS. DONAHUE: Is that all right, Kay?

6                   THE WITNESS: Yeah.

7 BY MS. PRYOR:

8           Q.       You've been handed what's been marked  
9 as Exhibit 3?

10          A.       Okay.

11          Q.       Is this another one of your  
12 applications?

13          A.       Yes.

14          Q.       And it's your handwriting throughout?

15          A.       Yes.

16          Q.       And you did not complete the date on  
17 the first page; is that correct?

18          A.       No, I didn't.

19          Q.       Okay. On the second page, there is a  
20 signature of Susan Lester and a date, May 29th,  
21 2001.

22          A.       Okay.

23                   MS. DONAHUE: The last page she means.

24                   MS. PRYOR: I'm sorry, the last page.

1 BY MS. PRYOR:

2 Q. Does that sound right, in terms of  
3 when you may have submitted this application?

4 A. Yeah, it was 2001.

5 Q. And does May sound about the time  
6 frame --

7 A. Yes.

8 Q. -- you would have submitted it?

9 MS. DONAHUE: Look through the whole  
10 thing.

11 THE WITNESS: Okay, I'm sorry.

12 MS. DONAHUE: No, that's fine.

13 BY MS. PRYOR:

14 Q. Have you had a chance to look through  
15 it?

16 A. Mm-hmm.

17 Q. And, again, you completed this  
18 honestly when you --

19 A. Yeah.

20 Q. -- did so? Here you list that you  
21 previously applied in 1999 and 2001.

22 A. Right.

23 Q. Was that accurate at the time?

24 A. Yeah, because this must have been the



1 second time I applied in 2001 --

2 Q. Okay.

3 A. -- for me to put that.

4 Q. Okay. Is it possible that the 2001  
5 might have referred to the 2000 that we just looked  
6 at, Exhibit 2?

7 A. That's possible, but I don't know.

8 Q. Since you don't list 2000 as an  
9 application date?

10 A. Okay.

11 Q. And does this refresh your memory, in  
12 terms of -- is this the application that you tested  
13 the second time after?

14 A. Now, is this the application that I  
15 tested the --

16 Q. Yeah. Were you --

17 A. -- second time?

18 Q. -- called in to test after this?

19 A. You know, I don't know. I don't -- I  
20 don't know if this is the one I was -- I don't  
21 know.

22 Q. Okay. Do you remember what happened  
23 with this application, Exhibit 3?

24 A. No, I do not.

1 Q. Do you remember if you were called  
2 back at all?

3 A. No, no, I don't. I -- I know I took  
4 the test twice. So, I mean, this could be the two.  
5 I don't know, that I know of.

6 Q. Do you remember how you submitted  
7 Exhibit Number 3 as an application?

8 A. No, I don't.

9 Q. Were you ever interviewed by anyone at  
10 AK Steel?

11 A. Other than the phone call from  
12 Middletown, no, I wasn't.

13 Q. And that interview -- that kind of an  
14 interview was one question?

15 A. Just one question. That was all.

16 Q. Did you find the test easy?

17 A. No.

18 Q. Found it hard?

19 A. Yeah, little confusing on some of it.

20 Q. Okay. Do you know why you were not  
21 hired by AK Steel?

22 A. No, I do not.

23 MS. PRYOR: Let's take a break.

24 MS. DONAHUE: Okay.

1 (Off the record: 10:14 a.m. - 10:21 a.m.)

2 BY MS. PRYOR:

3 Q. Ms. Jackson, do you know whether any  
4 white applicant with the same or less  
5 qualifications than you was hired?

6 A. A white applicant?

7 Q. Mm-hmm.

8 A. No, I do not. Not at this time.

9 Q. Do you know whether any white  
10 applicant with a similar clerical and office  
11 background as you was ever hired for a labor  
12 position?

13 A. No, I do not.

14 Q. Other than what we've already talked  
15 about today, did anyone at AK Steel ever say  
16 anything to you about any of your applications?

17 MS. DONAHUE: Object to the form,  
18 asked and answered. Go ahead.

19 A. No, they -- they didn't.

20 Q. Did anyone at AK Steel ever say  
21 anything to you about why you were not hired?

22 A. No, they did not and I -- I don't  
23 remember -- I don't recall if they did. I -- no.

24 Q. Did you receive any follow-up phone

1 calls from anyone at AK Steel, other than the one  
2 that you've testified about?

3 MS. DONAHUE: Object to the form,  
4 asked and answered.

5 A. No, I did not.

6 Q. Did anyone at AK Steel ever say  
7 anything to you about your race?

8 A. No, not that I recall.

9 Q. Okay. Did anyone at AK Steel ever say  
10 anything that you believe was discriminatory?

11 MS. DONAHUE: Object to the form.  
12 Calls for a legal conclusion.

13 A. Not that I recall, no.

14 Q. Did anyone at AK Steel ever do or say  
15 anything that you thought was offensive or hostile?

16 A. No, not that I recall.

17 Q. Did you ever hear from anyone else  
18 that anyone at AK Steel ever did or said anything  
19 that was hostile or offensive?

20 A. Repeat the question again.

21 Q. Sure.

22 A. I'm sorry.

23 Q. Did you ever hear from anyone else  
24 that AK Steel ever did anything that was hostile or

1 offensive?

2 A. No, not that I recall.

3 Q. Okay. Did you hear from anyone else  
4 that AK Steel ever did or said anything that was  
5 discriminatory?

6 MS. DONAHUE: Object to the form.  
7 Calls for a legal conclusion, asked and answered.

8 A. No, not that I recall.

9 Q. Did anyone at AK Steel ever treat you  
10 differently than a white applicant?

11 A. I'm sure they did.

12 Q. How is that?

13 A. But, I mean, I -- I think that's what  
14 we're trying to get to the bottom of. I mean --

15 Q. How do you think that you were treated  
16 differently --

17 MS. DONAHUE: Object.

18 Q. -- than a white applicant?

19 MS. DONAHUE: Object to the form,  
20 asked and answered.

21 Q. How do you think that you were treated  
22 differently than a white applicant?

23 MS. DONAHUE: Object to the form,  
24 asked and answered.

1           A.     As far as the testing of -- as far as  
2     the hiring at AK Steel.

3           Q.     And how was that treated differently?

4           A.     I'm -- I'm sure it's treated  
5     differently. I'm not positive how, but I -- I'm --  
6     I'm thinking that they're probably -- that they  
7     are -- they've got some kind of system that they  
8     know whether the -- what -- as far as the black  
9     applicants and the white applicants.

10          Q.     So you think they -- they treat them  
11     differently if they're a black applicant or if  
12     they're a white applicant?

13          A.     Yeah, that's -- yeah, that's what I  
14     think.

15          Q.     Do you have any knowledge about that  
16     alleged system?

17          A.     No, I do not, not at this time.

18          Q.     And do you know that white applicants  
19     have not been hired? I think you said you knew of  
20     one white applicant who was not hired, correct?

21          A.     Right.

22          Q.     Do you know of any white applicants  
23     who have been hired?

24          A.     Well, no. I don't know them

1 personally -- you know, but I'm -- I mean, I'm sure  
2 plenty of them were hired.

3 Q. Do you know anything about the  
4 procedure that they went through?

5 A. No, not at this time, I don't.

6 Q. Is there anything that would help you  
7 know that?

8 A. No, not -- not right now.

9 Q. Do you have any evidence to support  
10 your claim that you were discriminated against  
11 because of your race?

12 MS. DONAHUE: Object to the form.  
13 Calls for legal conclusion.

14 A. No, I do not.

15 Q. Do you have any evidence to support  
16 your claim that you were treated differently than  
17 white applicants?

18 A. That's -- that's why we had the  
19 lawyers, I guess. I mean, as far as me, no, I do  
20 not.

21 Q. You don't have any?

22 A. (Witness nodded.)

23 Q. Do you know who, if anyone, AK Steel  
24 hired instead of you?

1 MS. DONAHUE: Object to the form.

2 A. Is this black or white or does it  
3 matter? I mean, are you talking about  
4 African-American or --

5 Q. I'm asking if you know of anyone who  
6 AK Steel hired instead of you?

7 A. Yes, I do know someone, but I -- I  
8 don't know if we filled out the applications at the  
9 same time. I mean, I don't know if she filled it  
10 out after I just kind of gave up on filling out  
11 applications or what, but yeah, I do.

12 Q. Who was that?

13 A. Her name used to be Rebecca McConnell.

14 Q. What's her race?

15 A. She's black.

16 Q. And she has been hired by AK Steel?

17 A. Yes, she was. And I was thinking how  
18 in the world did she get it and they -- I think  
19 they ended up firing her.

20 Q. Do you know when she was hired?

21 A. No, I do not.

22 Q. Do you know what application process  
23 she went through?

24 A. No, I do not.



1 Q. Do you know whether she's still  
2 employed there or not?

3 A. No, she isn't.

4 Q. Do you know why she's no longer there?

5 A. No, I do not.

6 Q. And how do you know Rebecca McConnell?

7 A. I've seen her over at her parents'  
8 house that -- that live close to me.

9 Q. Okay. Do you know of anyone else who  
10 AK Steel hired instead of you?

11 A. No, I do not, not at this time.

12 Q. Do you know who at AK Steel made the  
13 decision not to hire you?

14 A. No, I do not.

15 Q. You've been handed what's been marked  
16 as Exhibit 4. Do you recognize Exhibit 4?

17 MS. DONAHUE: Look at the whole  
18 document.

19 THE WITNESS: Okay. Okay.

20 BY MS. PRYOR:

21 Q. You've had a chance to look through  
22 Exhibit 4?

23 A. Mm-hmm.

24 Q. Is that your signature on the bottom

1 of page 1?

2 A. Yes.

3 Q. Is that your signature on the last  
4 page?

5 A. Yes.

6 Q. And is this a charge that you filed  
7 with the EEOC?

8 A. Yes.

9 Q. And did you type it or did someone  
10 else type it for you?

11 A. I think someone else typed it for me.

12 Q. Did you review it before you signed  
13 it?

14 A. Yes.

15 Q. And you're affirming that everything  
16 in it was true and correct?

17 A. To my knowledge.

18 Q. Is that a "yes"?

19 A. Yes.

20 Q. Under Roman Numeral II, "Statement of  
21 Facts," did you state that you filed an application  
22 three times?

23 A. Okay.

24 Q. Is that correct or is it four?

1           A.       Well, I think I said three or four  
2 times. So if I've got three times here, then I  
3 guess three times is correct.

4           Q.       Okay. In the middle of the second  
5 paragraph under Roman Numeral II, "Statement of  
6 Facts," states, "After I took the test in 1999," do  
7 you see where I'm at?

8           A.       Yeah.

9           Q.       "an AK Steel representative told me  
10 that I had failed it." Is that true or correct --  
11 true or false?

12          A.       Yeah, that's true and I -- yes, I did  
13 mess up on that, that one time, yeah, okay.

14          Q.       So -- and that was the same time when  
15 you were subsequently contacted by telephone,  
16 correct?

17          A.       Yes.

18          Q.       Okay. So you had been told that you  
19 failed the test at that point, correct?

20                 MS. DONAHUE: Just read it.

21          A.       Okay. Hold on. No, because it was  
22 two different times.

23          Q.       What were two different times?

24          A.       That no one contacted me. No one

1     contacted me in 1999 saying that I failed that  
2     test, so that --

3             Q.     So you're saying this is false?

4             A.     That is not correct.

5             Q.     Okay. And this is a document that you  
6     signed under oath is false, then? Is that correct?

7             MS. DONAHUE: Object to the form.

8             THE WITNESS: I'm sorry.

9             MS. DONAHUE: Well, that's vague.

10     BY MS. PRYOR:

11             Q.     Your statement on this document,  
12     Exhibit Number 4, that someone contacted you and  
13     told you that you failed the test is false?

14             A.     Just hold on just a second. No. I --  
15     I mean, I -- I have got my dates mixed up. But if  
16     I've put that down there, then I guess it's true --

17             Q.     So --

18             A.     -- because I -- but I thought that it  
19     was two different times.

20             Q.     Which was two different times?

21             A.     That they called me once. See, I  
22     don't -- I don't remember anybody calling me,  
23     saying that I -- I failed the tests and -- but when  
24     I say this, they did call me, but it wasn't -- I --

1 I don't believe that it was the same test. You  
2 know, like the same year.

3 Q. So you think on another occasion they  
4 called you and told you you failed the tests?

5 A. Oh, I don't --

6 Q. Do you remember getting called and  
7 being told you failed the test?

8 A. No, that part I don't remember.

9 Q. You don't remember one way or the  
10 other?

11 A. That part, I don't remember. I do  
12 remember the phone call, though. But I do not  
13 remember getting that one call.

14 Q. It's possible it could have happened  
15 or it's possible it didn't?

16 A. Yeah, it's possible that it could  
17 have, but I just don't remember getting that call.

18 Q. And the next parargraph, you say in  
19 2001 you took the test again; is that accurate?

20 A. Yes.

21 Q. Sitting here today, do you remember if  
22 you took the test again in 2001?

23 A. Yeah, I think I had that on my paper  
24 that I remembered 1999 and 2001.

1 Q. You testified you only took the test  
2 two times. Here you say you took it again in May  
3 2002.

4 A. Okay.

5 Q. Did you take the test two times or  
6 three times?

7 A. I guess it was three times, if that's  
8 what I've got here.

9 Q. Other than seeing it on this paper, do  
10 you have any other recollection of taking it more  
11 than twice?

12 A. No, I don't.

13 Q. And after having reviewed Exhibit  
14 Number 4, did this help refresh your memory, in  
15 terms of how you submitted applications, who you  
16 gave them to or the process?

17 MS. DONAHUE: Object to the form,  
18 compound.

19 A. No. I still don't remember how the --  
20 you know, I know this is my signature and I filled  
21 out applications, but as far as how they got them,  
22 I don't remember.

23 Q. Have you heard anything from AK Steel  
24 since May 2002?

1 A. No, I haven't.

2 Q. And after your May 2002 application,  
3 did you ever hear anything back from AK Steel at  
4 any time?

5 A. Not to my knowledge.

6 Q. And in May 2002, do you know whether  
7 you submitted an application or just a resume?

8 A. I'm not really sure.

9 Q. Okay. You've been handed what's been  
10 marked as Exhibit Number 5. This is a document  
11 that your attorney handed me this morning. What is  
12 this document?

13 A. It's a resume with letters on my  
14 behalf attached to it.

15 Q. What did you do with this resume?

16 A. This is the -- this is one of the --  
17 this is the resume that I had handed to the guard  
18 out there to give to Susan Lester.

19 Q. I notice that your employment at the  
20 health center is not listed on this resume.

21 A. No. This was -- this was just a old  
22 resume.

23 Q. Did you submit this before?

24 A. This -- this is the one -- this is the

1 one that was submitted before September of 1999.

2 Q. And is this the one that you did not  
3 hear back on?

4 A. Yes.

5 Q. Okay. What do you know about the work  
6 that's performed at AK Steel?

7 A. I'm not -- I don't really know much  
8 about the work that's performed there.

9 Q. The letters of recommendation, when  
10 did you receive those?

11 A. I think the dates are on them. They  
12 were after -- towards the time that I was about  
13 ready to lose my job up there or when they were  
14 downsizing, except for that one was in 1999,  
15 January, a couple of them.

16 Q. When did you lose your job, what  
17 month?

18 A. I think November. I think it was  
19 November of 1998.

20 Q. Where did these individuals write  
21 these letters?

22 A. They was just -- they knew I had no  
23 other means of -- of finances and they were just  
24 trying to help me find a job 'cause I'd been there



1 so long. So they said letters of recommendation  
2 always helps, so --

3 Q. Did you always attach those to your  
4 resume when you submitted your resume?

5 A. Yes, I did.

6 Q. Has your phone number ever been  
7 606-473-1247?

8 A. Yes.

9 Q. You've been handed what's been marked  
10 as Exhibit 6. Do you recognize Exhibit 6?

11 A. Yes, on my resume.

12 MS. DONAHUE: Look all the way through  
13 it.

14 THE WITNESS: Oh, sorry.

15 BY MS. PRYOR:

16 Q. It's one of your resumes?

17 A. Mm-hmm.

18 Q. Do you know whether or not you  
19 submitted this to AK Steel at any time?

20 A. Yes, I'm sure I did, yeah.

21 Q. Do you know when you did?

22 A. No.

23 Q. And, again, these are the same  
24 reference letters attached to it?

1           A.     Yes.  It's just got a different resume  
2     to it.

3           Q.     And this was an accurate reflection of  
4     your work history?

5           A.     Pardon me?

6           Q.     Was Exhibit 6 an accurate reflection  
7     of your work history?

8           A.     Yes.

9           Q.     At the top of it, there's some  
10    handwritten -- it says "Not test qualif left  
11    message test 5/9/02."  Do you know wether or not  
12    you took a test on May 9th, 2002?

13          A.     No, I'm not sure.

14          Q.     Okay.  And just so I'm clear, you  
15    don't know when the last time was that you took an  
16    exam at AK Steel?

17          A.     No, not at this -- no, I don't.

18          Q.     Have you ever seen a psychologist or  
19    counselor?

20          A.     Have I ever seen a what?

21          Q.     A psychologist, counselor or a  
22    therapist?

23          A.     No, not to my knowledge.  I don't  
24    remember seeing one.

1 Q. Have you ever taken any medication for  
2 emotions or your nerves or depression?

3 A. Yes, I did before.

4 Q. When did you do that?

5 A. Back in 19 -- probably 1990 something.

6 Q. What was that for?

7 A. I had took some -- just some nerve  
8 medicines and it was called Tranxene.

9 Q. What for?

10 A. Just -- I was just nervous. I was  
11 going through a lot of stuff in my life and --

12 Q. Any other time? You think it was in  
13 the eighties?

14 A. I said it might have been in the  
15 eighties. It was in the eighties or nineties then.

16 Q. Any other time that you've taken it?

17 A. No, I don't recall.

18 Q. Or any other medication for emotions  
19 or nerves or depression?

20 A. No. I've taken -- I've taken Paxil  
21 before, I think.

22 Q. When did you take that?

23 A. That was just a few years ago.

24 Q. What did you take that for?

1 A. Just nerves.

2 Q. Anything in particular?

3 A. Yeah, my son was real sick and I  
4 just -- you know, was just kind of nervous about  
5 it.

6 Q. Any other time?

7 A. Nope.

8 Q. You keep any notes or a diary?

9 A. No, I don't.

10 Q. Make any notations or notes about  
11 anything that happened with AK Steel?

12 A. Not to my knowledge, I didn't.

13 Q. That letter that you received from AK  
14 Steel, when did you throw it out?

15 A. I threw it out when I received it,  
16 but -- I'm trying to think. I mean, I threw it out  
17 when I received it. After I read it, it didn't say  
18 I failed on anything and I thought, well, I didn't  
19 get this job and I threw it out.

20 Q. Do you remember who the letter was  
21 from?

22 A. No, I don't remember.

23 MS. DONAHUE: Do you have a copy --

24 MS. PRYOR: Oh, I'm sorry.

1 MS. DONAHUE: That's all right.

2 BY MS. PYROR:

3 Q. You've been handed what's been marked  
4 as Exhibit 7. Have you ever seen this document  
5 before?

6 A. Let me look through here a minute.

7 MS. DONAHUE: All the way through.

8 THE WITNESS: Okay.

9 BY MS. PRYOR:

10 Q. Have you ever seen Exhibit 7 before?

11 A. I don't remember seeing it.

12 Q. If we could go back to Exhibit Number  
13 4, which was your EEOC charge?

14 A. Ah-huh.

15 Q. Did you ever receive a notice of right  
16 to sue from the EEOC?

17 A. I don't recall.

18 Q. You don't recall receiving one?

19 A. Na-huh.

20 Q. Okay. I'm sorry to flip back and  
21 forth, but going back to Exhibit Number 7 --

22 A. Okay.

23 Q. -- if you would look on page 5 at the  
24 bottom of that page. I'm sorry. Of Attachment A

1 for Exhibit Number 7, yeah.

2 A. This one?

3 Q. Page 5 of that document.

4 A. Sorry.

5 Q. Sorry. It's a little confusing. Do  
6 you see at the bottom, number eight has your name?

7 A. Yes.

8 Q. And if you turn the page, under your  
9 name is listed a Brooks Carmichael Jackson?

10 A. Right.

11 Q. What information do you believe  
12 Mr. Jackson has regarding race discrimination at AK  
13 Steel?

14 A. Regarding race discrimination?

15 Q. Mm-hmm.

16 A. He's probably got quite a bit.

17 Q. What kind of information?

18 A. I think he -- he used to work there.

19 Q. How long did he work there?

20 A. He -- I'm not really sure. He used to  
21 work construction there.

22 Q. Is this your husband or ex-husband?

23 A. That's my ex-husband.

24 Q. Why did you -- did you list him as a

1 witness?

2 A. No.

3 Q. Do you know why he's listed on this  
4 document?

5 A. No.

6 Q. Okay. Do you believe he has any  
7 knowledge with respect to your claims in this case?

8 A. No.

9 Q. Does he have any knowledge about your  
10 application to AK Steel?

11 A. Yeah, he probably knew that I applied.

12 Q. Did you tell him that or --

13 A. Yeah, I'm -- I'm sure I did. You  
14 know, he probably knew I applied to AK Steel.

15 Q. Does he have any other knowledge?

16 A. No.

17 Q. When you said that you think he has  
18 information about race discrimination, have you  
19 ever heard him give you any information about race  
20 discrimination?

21 A. No. He hasn't gave me any  
22 information, but I think -- well, I know that him  
23 and Rodney had a -- had a suit filed. I don't  
24 think it was against AK Steel. They weren't --

1 they had some kind of a discrimination suit.

2 Q. Do you know who that was against?

3 A. No, I don't.

4 Q. Do you know when that was?

5 A. It was in the nineties, I think.

6 Q. Was it while you were married or after  
7 you were married?

8 A. This was after we were divorced.

9 Q. I'm sorry.

10 A. This was after we were divorced.

11 Q. You don't know who it was against?

12 A. No, I do not.

13 Q. Did he ever encourage you to apply to  
14 AK Steel?

15 A. No, he did not.

16 Q. Did he ever say anything to you about  
17 AK Steel?

18 A. No.

19 Q. What about Roger Grundman, does he  
20 have any knowledge about your claims against AK  
21 Steel?

22 A. No, he was a -- yeah, he was a sales  
23 rep when I worked at Tenneco. I haven't even seen  
24 the man.



1 Q. Have you seen him since you left  
2 Tenneco?

3 A. No. He might be dead by now. I mean,  
4 he was old.

5 Q. Is his address in New York?

6 A. I have no ideal. And, yeah, that was  
7 our central office address.

8 Q. Okay. Did he work out of that office  
9 or did he work in Kentucky?

10 A. No, he worked out of the office in  
11 Cleveland, Ohio, I think.

12 Q. What about Mimi Louiso?

13 A. Yeah, she worked out of Glen Falls,  
14 New York, no. She worked out of either the North  
15 Carolina office or the New York office. I  
16 haven't -- I haven't heard from her.

17 Q. Have you talked to her since you left  
18 Tenneco?

19 A. Yeah, I probably talked to her a  
20 couple times 'cause I went to her wedding, and then  
21 after I went to her wedding I -- she -- no, that  
22 was before I left Tenneco. No, I probably talked  
23 to her a couple times and that was it.

24 Q. Okay. Does she know about your

1 application to AK Steel?

2 A. No.

3 Q. She know anything about your claims in  
4 this lawsuit?

5 A. No, she does not.

6 Q. Did you -- what was her position at  
7 Tenneco?

8 A. She was a sales representative, too.  
9 She'd go out and get our orders and -- you know, as  
10 far as microfoam orders and -- you know, she would  
11 sell the product --

12 Q. Okay.

13 A. -- so no.

14 Q. Is that the same thing that  
15 Grundman -- Mr. Grundman would do?

16 A. Yeah.

17 Q. And how did your job interact with  
18 their jobs?

19 A. Because I was their customer sales  
20 rep. I was their sales representative.

21 Q. What does that mean?

22 A. Like they would go out and get the --  
23 the customers and the customers would call me to  
24 place their orders and make sure I ship them out

1 and all that stuff.

2 Q. Okay. What about Gary Hamm?

3 A. Gary Hamm was my supervisor at  
4 Wurtland --

5 Q. At Tenneco?

6 A. -- at Tenneco, yeah.

7 Q. Okay. Have you talked to him since  
8 you left Tenneco?

9 A. Yeah, I've seen him a couple times.  
10 We just said hi and how you doing.

11 Q. Does he know anything about your  
12 claims against AK Steel?

13 A. No, he does not.

14 Q. Does he know anything about your  
15 application to AK Steel?

16 A. No, he does not.

17 Q. What about Jackie Smith?

18 A. She was one of my supervisors and, no,  
19 she does not know anything about it.

20 Q. About your claims against AK Steel?

21 A. Right.

22 Q. Have you talked to her since you left  
23 Tenneco?

24 A. Yes.

1 Q. What have you talked to her about?

2 A. We just went got -- some of the other  
3 girls that lost their job and went out to lunch  
4 and -- you know.

5 Q. And what about Gary Lewis, who is he?

6 A. He was the employee relations.

7 Q. Like the human resource --

8 A. Yeah --

9 Q. -- type person?

10 A. -- human resource.

11 Q. Does he know anything about your  
12 claims against AK Steel?

13 A. No, he does not.

14 Q. Does he know anything about your  
15 application to AK Steel?

16 A. No, he does not.

17 Q. Have you talked to him since you left  
18 Tenneco?

19 A. Probably a couple times.

20 Q. Conversations or --

21 A. Saw him at a ball game. You know,  
22 how's your family, kind of thing.

23 Q. These individuals listed here, I'm  
24 assuming none of them lost their jobs when you lost

1 your job?

2 A. Jackie did.

3 Q. Jackie did?

4 A. Jackie lost her job and Roger and  
5 Mimi, they probably lost their jobs, too.

6 Q. At the same time that you did?

7 A. Yeah, but Jackie, we was in the same  
8 department. Roger and Mimi, it -- they might have  
9 lost their -- their sales areas, so to speak. But  
10 I don't know. But, yeah, Jackie lost her job, but  
11 she's back at DuPont, though.

12 Q. She's back where?

13 A. She lost her job when we were Tenneco  
14 Packaging, but she had call -- we all have callback  
15 rights to DuPont and she got her job back at  
16 DuPont.

17 Q. Did you try to get your job back at  
18 DuPont?

19 A. Well, I'm -- I'm on the list. There's  
20 like two other people before me.

21 Q. If you'll look back at Exhibit Number  
22 6 --

23 A. Okay.

24 Q. -- which is your resume?

1 A. Yeah.

2 Q. And you've got some of the attached  
3 reference letters. There's a letter --  
4 second-to-the-last one is a letter from Jackie  
5 Smith?

6 A. Mm-hmm.

7 Q. Why is she writing you a letter of  
8 recommendation if she's also lost her job?

9 A. No, she hadn't lost her job at the  
10 time.

11 Q. Okay.

12 A. At the time, she hadn't lost it.

13 Q. But she did not lose her job at the  
14 same time you did?

15 A. No --

16 Q. Okay.

17 A. -- she didn't, no.

18 Q. Do you know when she did lose her job?

19 A. Probably about a year after that.

20 Q. And then looking on Exhibit 7 again,  
21 if you will turn to page 11, which is the first  
22 page of Attachment B. Do you see that?

23 A. Okay.

24 Q. And do you see your name down at

1 number eight?

2 A. Yeah.

3 Q. It talks -- that you have W-2 wages  
4 and tax statements from '99, 2000 and 2001?

5 A. Right.

6 Q. And it says EEOC documents, do you  
7 have any idea what that refers to?

8 A. Unless it's this thing, I don't know.

9 Q. You're looking at Exhibit Number 4?

10 A. Four.

11 Q. Is that the only thing you have from  
12 the EEOC?

13 A. As far -- to my knowledge, I really  
14 don't know.

15 Q. Have you looked for other documents  
16 from the EEOC?

17 A. Well, actually I've got everything  
18 pertaining to this in -- I thought I had it all in  
19 a one big pile, but evidently not.

20 Q. Where is that pile at?

21 A. At home. So, yeah, I probably have  
22 it, but I'm not really sure.

23 Q. What else is in that pile?

24 A. Just anything I got from the lawyers.

1 Anything I got, I just -- I kept it. I just  
2 kinda --

3 Q. If you turn to page 12 of Exhibit 7 --

4 A. Mm-hmm.

5 Q. -- talks about your resume. Have we  
6 looked at your resume today?

7 A. Yeah.

8 Q. Do you have any other copies of a  
9 resume, different resume?

10 A. Yeah. I have this one and that one  
11 you just -- that you had.

12 Q. The two that we marked as exhibits  
13 today?

14 A. Yeah.

15 Q. Do you have any other resumes other  
16 than those two?

17 A. Not that I know of.

18 Q. Okay. The next one is "Letters of  
19 Recommendation." Are those the letters of  
20 recommendation that we've looked at today?

21 A. Yeah.

22 Q. What does "Copies of prescriptions"  
23 mean, do you know?

24 A. No, I have no ideal what that means.



1 Q. Do you have some kind of prescription?

2 A. No. Do you? I mean, you keep  
3 throwing this stuff at me. I'm thinking I don't  
4 know what that copies of prescriptions --

5 Q. You have no idea what that means?

6 A. No.

7 Q. Okay. Notice of dismissal, do you  
8 know what that means?

9 A. No, unless it's talking about --  
10 about -- well, that was on my resume. Well, my job  
11 downsized, but I -- I don't know.

12 Q. How about copy of high school diploma,  
13 do you have that?

14 A. Yeah, I have that at home.

15 Q. How about a copy of an application to  
16 Shawnee Medical Center, do you have that?

17 A. Yeah.

18 Q. Do you have that somewhere at home?

19 A. Yeah.

20 MS. PRYOR: We would like the  
21 documents that have been identified to be produced,  
22 please.

23 BY MS. PRYOR:

24 Q. Take a look back at Exhibit number --

1 I think it was number one, which was your responses  
2 to interrogatories.

3 A. Okay. Hold on. Okay.

4 Q. Is that number one?

5 A. Yeah.

6 Q. Attached to the back of this document  
7 are some documents that were produced to us at the  
8 same time.

9 A. Right.

10 Q. Are those your tax returns and W-2's?

11 A. Yeah, as far as I know, it looks like  
12 them, yeah.

13 Q. Do you have your actual tax returns  
14 from the years prior to 2003?

15 A. Do I have it?

16 Q. Yeah. I note that they're not  
17 attached.

18 A. No. I think when I sent this, I -- I  
19 sent a thing saying I couldn't find those, but I  
20 had -- I think I had all my -- I had all of  
21 every -- one thing, but I couldn't find three of  
22 like my tax returns, I think. Yeah, I have a copy  
23 of all my W-2's, except for -- I don't think I had  
24 the one for that County Fair.

1 Q. County Fair?

2 A. Yeah.

3 Q. Okay. You've been handed what's been  
4 marked as Exhibit Number 8. Have you ever seen  
5 this document before?

6 MS. DONAHUE: Look through the whole  
7 thing.

8 A. Okay.

9 Q. Have you had a chance to look through  
10 it?

11 A. Yeah.

12 Q. Have you ever seen it before?

13 A. No, I have not.

14 Q. No? Do you have any documents that  
15 reflect communications between you and AK Steel?

16 MS. DONAHUE: Objection. Go ahead.

17 A. No, no, no, I don't.

18 Q. Do you have copies of any documents  
19 that you provided to AK Steel?

20 A. My resume.

21 Q. That we've already looked at today?

22 A. Yeah.

23 Q. Anything else?

24 A. No.

1 Q. Do you have copies -- I think you  
2 mentioned that you still have a copy of the  
3 application you used at Shawnee Medical or Mental?

4 A. Yeah, I can get one 'cause I -- yeah,  
5 I can get one 'cause I do remember getting that  
6 from them. It was just a copy of my application.

7 Q. Why did you get a copy of it from  
8 them?

9 A. I think at that time, my lawyers  
10 needed it.

11 Q. Lawyers in this case?

12 A. Yes.

13 Q. Do you have any copies of documents  
14 that you've used to seek employment anywhere else?

15 A. No, I do not.

16 Q. Do you have any notes or letters or  
17 e-mails between you and any of the other plaintiffs  
18 in this case?

19 A. No, I do not.

20 Q. Have you sent any notes or e-mails or  
21 letters to anyone else about AK Steel?

22 A. No, I have not.

23 Q. Have you ever had discussions with any  
24 of the other plaintiffs outside the presence of

1 counsel?

2 MS. DONAHUE: Objection, asked and  
3 answered.

4 A. Yeah, that's what I said in the  
5 beginning. I think you asked me that, yeah.

6 Q. Have you talked about AK Steel --

7 MS. DONAHUE: Objection --

8 Q. -- in any of those conversations?

9 MS. DONAHUE: -- asked and answered.

10 A. Yeah. I mean, we just talked about  
11 how -- how's the case going or have you heard  
12 anything. But other than -- I mean, but as far as  
13 setting down and actually having a conversation,  
14 no.

15 Q. What have you said about how the case  
16 is going?

17 A. I don't know. I -- I tell them I  
18 don't know anything -- any more than they do and  
19 that would be it.

20 Q. What do they say about how the case is  
21 going?

22 MS. DONAHUE: Objection, insofar as  
23 this reflects any conversations you've had with  
24 your attorneys or you'd be repeating information

1 that you got from your attorneys, it's privileged  
2 information.

3 THE WITNESS: Okay.

4 BY MS. PRYOR:

5 Q. What do the other plaintiffs say about  
6 how the case is going?

7 MS. DONAHUE: Outside of what the  
8 attorneys might have told you.

9 A. They don't say anything.

10 Q. Do they not know, either?

11 A. No, I don't talk to them that much. I  
12 mean -- you know, so I don't -- the only time I --  
13 I have conversation with him -- and that's just one  
14 person, if -- if she's trying to find a ride or --  
15 you know, or -- that's about it.

16 Q. Who is that?

17 A. Well, Tiffany, as far as she's always  
18 looking for a ride. I -- you know, she would call  
19 me, like the last time when we were going  
20 somewhere, or -- or that time she couldn't be there  
21 at one -- something she'd call me.

22 But Dee Dee -- you know, she -- she'd  
23 call and like when we were -- we were going to have  
24 something with our attorneys and just ask me if I

1 was going. But I don't actually talk to any of  
2 them.

3 Q. Okay. If you'll look again back at  
4 Exhibit Number 1, which is your interrogatory  
5 responses. If you look on page 5, interrogatory  
6 number five asks you to, "Identify by name, address  
7 and telephone number all individuals who have  
8 knowledge about or information about the  
9 allegations in the Complaint, and state a summary  
10 of what you believe their knowledge to be."

11 A. Right.

12 Q. And your answer is, "All of the other  
13 plaintiffs who applied to work at the Ashland  
14 Plant."

15 A. Right.

16 Q. Other than who we've talked about  
17 today, do you know who the other ones are?

18 A. No. I just -- those we talked about  
19 and they would have the same knowledge that I  
20 would --

21 Q. What knowledge is that?

22 A. -- that's what I said that (sic).

23 Q. Do any of the other plaintiffs know  
24 about your own application to AK Steel --

1 MS. DONAHUE: Objection.

2 Q. -- other than --

3 MS. DONAHUE: Calls for speculation.

4 BY MS. PRYOR:

5 Q. Have you ever talked to them about  
6 your own application to AK Steel?

7 A. No, I have not.

8 Q. Okay. Do you know anything about  
9 Darrell Carter's experience or qualifications?

10 A. No, I do not.

11 MS. PRYOR: I have no further  
12 questions at this time, but we would like all those  
13 documents produced.

14 MS. DONAHUE: Okay. I will get those  
15 to you. I know you've been asking for them, but  
16 I've been just swamped.

17 MS. PRYOR: I've --

18 MS. DONAHUE: Definitely something I'm  
19 going to do.

20 MS. DONAHUE: Well, I don't know about  
21 that. You and me, I'm talking about. Okay. We do  
22 have one question.

23 EXAMINATION

24 BY MS. DONAHUE:



1 Q. Did you ever have a conversation with  
2 Rodney Cosby about participating in this lawsuit?

3 A. Yes, I did.

4 Q. Can you recall whether or not that  
5 conversation -- what did you tell him?

6 A. I told him, yes, I -- I would be  
7 interested in being in the lawsuit and he contacted  
8 the lawyers or -- or contacted the lawyers for them  
9 to contact me.

10 Q. Okay. So your first contact with the  
11 lawyers was after you talked to Rodney?

12 A. Yes.

13 Q. Okay.

14 MS. DONAHUE: All right.

15 MS. PRYOR: You done?

16 MS. DONAHUE: I'm done.

17 MS. PRYOR: Follow-up questions.

18 RECROSS-EXAMINATION

19 BY MS. PRYOR:

20 Q. Earlier I asked you if you had any  
21 contacts about this before the attorneys. When did  
22 you learn about or remember the conversation with  
23 Mr. Cosby?

24 A. Do I have to give you a year or day?

1 I mean --

2 Q. There seems to be a change from what  
3 we talked about earlier. I'm trying to figure  
4 out --

5 A. Okay.

6 Q. -- how you -- why it's changed?

7 A. The thing was, I -- Rodney is the one  
8 that brought it to my attention. I said that  
9 the -- the lawyers had contacted me. But the  
10 lawyers did contact me, but it was through Rodney  
11 Cosby.

12 Q. And how did that memory change or  
13 refresh --

14 A. Pardon me?

15 Q. Did you know that earlier when I  
16 talked to you or had you forgotten it?

17 A. No, I -- I was thinking -- well,  
18 actually I know I said the lawyers contact me, but  
19 it was through Rodney that they contacted me.

20 Q. Okay. So when did you first talk to  
21 Rodney about it?

22 A. I'm -- I'm not sure.

23 Q. And what did he say?

24 A. Let me -- yeah, I think -- I am

1 thinking here. What did he say? He was just  
2 saying that they're -- basically he had asked me --  
3 he had asked me if I had heard anything back from  
4 my test from AK Steel and I said no, and then  
5 that's when he said, well, -- he asked -- I'm  
6 pretty sure that he asked for my number and said he  
7 was going to have the -- some attorneys contact me.  
8 But I don't remember which tests this was. I mean,  
9 I don't know if it was the 1998, '99, 2000, 2000 --  
10 whichever one. So please don't ask me which  
11 application this went to 'cause I -- I don't know.

12 Q. How did -- how did he know that you'd  
13 applied?

14 A. He -- he always told me when -- when  
15 they were hiring, when they was getting ready to  
16 hire.

17 Q. Did he encourage you to apply at AK  
18 Steel?

19 A. Yeah, he did 'cause he was -- he was  
20 saying that they need -- needed blacks up there.

21 Q. And he told you that he was going to  
22 have attorneys contact you?

23 A. Yes, he did.

24 Q. Has he ever been in on any of the

1 meetings that you've had with attorneys?

2 A. Yeah, I think it was at one, but it  
3 seems like they asked him to leave. I mean -- you  
4 know, cause he couldn't be in there. But he wasn't  
5 acutally in a meeting. He was there, but when they  
6 started the meeting, he had to -- he had to leave.

7 Q. Have you ever had any conversations  
8 with him about the lawsuit?

9 A. No, I haven't.

10 Q. Is he your neighbor?

11 A. Well, he lives probably about three  
12 blocks up.

13 Q. Has he ever asked you how the  
14 lawsuit's going?

15 A. No. Yeah, one time he did.

16 Q. What did he ask?

17 A. He just ask -- he asked me that. He  
18 just asked me how it was going.

19 Q. What did you tell him?

20 A. I told him I really didn't know 'cause  
21 we haven't heard anything and we hadn't.

22 Q. When was that?

23 A. That was probably like eight months or  
24 six months ago or something 'cause we hadn't -- we

1 hadn't heard anything.

2 Q. Any other times when you've had  
3 conversations with him --

4 A. No, I don't --

5 Q. -- about the lawsuit?

6 A. -- see him very often.

7 Q. Any other conversations with him about  
8 AK Steel?

9 A. No. And the reason why I'm saying  
10 that he's the one that usually told me about AK  
11 Steel, he has something to do -- I think he has  
12 something to do with that job fair stuff.

13 Q. Do you know what that is?

14 A. No, I don't. But he always knew when  
15 it was coming up, so --

16 Q. Did you contact anyone else about  
17 joining the lawsuit?

18 A. No, I did not.

19 Q. The conversation that you had with  
20 him, was that in person or on the phone?

21 A. That was in person.

22 Q. Was anyone else present?

23 A. No, there wasn't.

24 Q. Did he come find you or did you find

1 him? How did you meet?

2 A. I think we were just passing on the  
3 road -- you know, like in the car and he might've  
4 flagged me down or something. I -- I don't --

5 Q. And he asked if you heard anything  
6 about the test?

7 A. Yeah, 'cause he knew I was taking that  
8 test, yeah.

9 Q. And when you said no, he said I'm  
10 going to give you a number to the attorneys?

11 A. No, it wasn't like that. It was just  
12 like -- you know, you haven't heard from the test  
13 and it was like a few weeks later, then he said --  
14 well -- you know, here's a number of the -- or he  
15 didn't -- no, he didn't tell -- he did not say  
16 here's the number of the attorney. He was going to  
17 have them call me, so --

18 Q. Okay.

19 A. But he's the one that set it all up  
20 basically.

21 Q. Did he tell you that -- I mean, what  
22 did you know about the attorneys or what did he  
23 tell you about the attorneys?

24 A. He was just saying they were

1 investigating AK Steel basically.

2 MS. DONAHUE: Okay. Don't -- anything  
3 that has to do with what conversations that were  
4 with the attorneys --

5 Q. And I'm not asking about conversations  
6 you had with the attorneys. I'm asking what  
7 Rodney -- is it Rodney?

8 A. Right.

9 Q. -- Rodney Cosby told you. Did he tell  
10 you -- he told you that they were investigating AK  
11 Steel?

12 A. I don't think -- maybe not in those  
13 words, but that was -- you know, something like  
14 that.

15 Q. Did he say they were going to file a  
16 lawsuit against AK Steel?

17 A. No, not at that time.

18 Q. Why was he -- what did he tell you was  
19 the reason why the attorneys were going to contact  
20 you?

21 A. Discrimination on the hiring process.

22 Q. Okay. Did he tell you anything else?

23 A. No.

24 Q. You don't know when that conversation

1 was?

2 A. No, I do not.

3 Q. Did you apply again after that  
4 conversation?

5 A. Yes.

6 Q. Okay. How many times did you apply  
7 after that conversation?

8 A. I have no -- I have no ideal.

9 Q. But you do know that you applied --

10 A. Yeah.

11 Q. -- again? And was that application at  
12 his, again, suggestion that they were hiring?

13 A. Yes. I think it was 'cause I think  
14 I'm -- yeah, I think it was because I hadn't heard  
15 from any attorneys or nothing. And I think it was  
16 because he knew what I was making -- you know, he  
17 knew I wasn't making much down there and that I  
18 really needed a better job. So, yeah, I probably  
19 did apply again after he said that.

20 MS. PRYOR: Okay. No further  
21 questions, subject to the documents.

22 MS. DONAHUE: Okay. No questions.

23 MS. PRYOR: Thank you.

24 (Deposition concluded at 11:15 a.m.)



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Kay Jackson

## C E R T I F I C A T E

STATE OF OHIO :  
: SS  
COUNTY OF HAMILTON :

I, Susan M. Barhorst, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that prior to the giving of this deposition the within-named KAY JACKSON was by me first duly sworn to testify the truth, the whole truth, and nothing but the truth; that the foregoing pages constitute a true, correct, and complete transcript of the testimony of said deponent, which was recorded in stenotypy by me, and on the 1st day of September 2007 was submitted to counsel for deponent's signature.

I further certify the within deposition was duly taken before me at the time and place stated, pursuant to the Federal Rules of Civil Procedure; that I am not counsel, attorney, relative or employee of any of the parties hereto, or their counsel, or financially or in any way interested in the within action, and that I was at the time of

1 taking said deposition a Notary Public in and for  
2 the State of Ohio.

3 IN WITNESS WHEREOF, I have hereunto set my  
4 hand and notarial seal at Cincinnati, Ohio, this  
5 1st day of September 2007.

6  
7  
8 Susan M. Barhorst, Notary Public  
9 in and for the State of Ohio.  
10 My commission expires  
February 18, 2009  
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